

13.09.2023
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AN/Ct. No. 24

WPA 11746 of 2023

**Rita Maity
versus
The Kolkata Municipal Corporation & Anr.**

Mr. Abhijit Chakraborti	... for the petitioner
Mr. A. K. Biswas	... for the K.M.C.
Md. Mansoor Alam Ms. Reshma Chatterjee	... for the State

The petitioner complains of illegal and unauthorized construction over a joint undivided property. The complaint lodged against such unauthorized construction before the Kolkata Municipal Corporation is pending consideration. Specific allegation is that the unauthorized construction is being made without obtaining any sanctioned plan.

The petitioner has not impleaded the person responsible for making construction as party respondent in the writ petition.

In view of the above, the instant writ petition is **disposed of** by directing the concerned Executive Engineer (Civil/Building), Borough VII, Ward No. 59 to consider the petitioner's representation dated 30.12.2022 in accordance with law, after giving reasonable opportunity of hearing to

all the necessary parties and after causing a spot inspection.

A decision shall be taken in the matter at the earliest but positively within a period of twelve weeks from the date of communication of this order.

Learned counsel appearing for the petitioner is directed to forward a copy of the representation addressed to the Director General (Building Department) and received by the Office of the Kolkata Municipal Corporation on 30.12.2022 to the aforesaid respondent at the time of communicating the order of the Court.

Leave is granted to the learned advocate on record of the petitioner to implead the Executive Engineer (Civil/Building), Borough VII, Ward No. 59 as a party respondent in the present writ petition. The formality of serving a copy of the writ petition upon the added respondent stands dispensed with as the Kolkata Municipal Corporation is represented by its learned counsel.

Urgent certified photostat copy of this order, if applied for, shall be given to the parties as expeditiously as possible on compliance of all necessary formalities.

(Amrita Sinha, J.)