

01
13.03.2023
d.p.

**In The High Court At Calcutta
Constitutional Writ Jurisdiction
Appellate Side**

W.P.A 9563 of 2008

**Ganesh Chandra Panda
-versus
The Municipal Commissioner, Kolkata
Municipal Corporation & Ors.**

**Mr. Bikash Ranjan Bhattacharya, Sr. Adv.,
Mr. Dilip Kumar Chatterjee.
...For the Petitioner.**

**Mr. Alak Kumar Ghosh,
Mr. Achintya Kumar Banerjee.
...For KMC.**

Decision dated 3rd March, 2023 of the Executive Engineer, Building Department, Borough-II, Kolkata Municipal Corporation has been placed on record.

It appears therefrom that a hearing was held by the authority on 23rd February, 2023 in the presence of the petitioner as well as the private respondent who complained of unauthorized construction.

The authority observed that admittedly the constructions complained of were made without obtaining any permission from the Kolkata Municipal Corporation.

However, as it appeared that the stair complained of being the only tool to avail the upper floors and is being used for a long time, accordingly, the Corporation

permitted retention of the said stair upon payment of necessary fees and charges estimated at Rs.1,37,264/- (approx) as per the Kolkata Municipal Corporation schedule.

None appears on behalf of the private respondents.

The parties are directed to act in terms of the decision taken on 3rd March, 2023.

The concerned Executive Engineer is directed to communicate this order to all the parties.

The writ petition stands disposed of.

Urgent certified photocopy of this order, if applied for, be supplied to the parties expeditiously on compliance of usual legal formalities.

(Amrita Sinha, J.)