

Ct. 24
Item No.55
15.06.2023
(Suvendu)

WPA 12838 OF 2023

Ashok Kumar Maiti
Vs.
The Kolkata Municipal Corporation & Ors.

Mr. Abhishek Bhattacharjee
...for the petitioner

Mr. Gopal Chandra Das
Mr. Dwijadas Chakraborty
.....for the KMC

The subject structure of the petitioner was found to be unauthorized and order of demolition was passed.

It appears from the submissions made on behalf of the parties that the order of demolition was carried in appeal by the person aggrieved being B/T Appeal No. 03 of 2023. Prior to any order being passed by the appellate forum, the Corporation executed the order of demolition in part.

The petitioner submits that the appeal could not be proceeded with as the certified copy of the impugned order of demolition was not issued by the Corporation.

As the order of demolition appears to have been implemented to some extent, accordingly there is no

requirement of proceeding with the writ petition any further.

The Executive Engineer (Building), Borough Nos. IV and V is directed to immediately supply certified copy of the order of demolition dated 29th March, 2023 to the petitioner provided application for the same has been made and necessary charges for obtaining the certified copy has been deposited.

The writ petition stands disposed of.

It will be open for the petitioner to raise all points before the appellate forum.

Urgent photostat certified copy of this order, if applied for, be given to the parties on usual undertakings.

(Amrita Sinha, J.)