

Court No. 07

WPA 12857 of 2023

29.05.2023

(AD 8)

(S. Banerjee)

Messrs. Harshit Tie-up Private Limited

Vs.

The State of West Bengal & Ors.

Mr. Apurba Ghosh

... for the petitioner

Mr. Mansoor Alam

... for the State

Mr. Gopal Chandra Das

Ms. Manisha Nath

... for the KMC

Let the affidavit of service filed in court today be kept with the records.

The petitioner submits that he has made some unauthorised constructions at the relevant premises. There have been some deviations from the sanctioned plan in making the construction. He has made a representation before The Executive Engineer (Br – XVI), Building Department, The Kolkata Municipal Corporation, Joka Unit on November 19, 2022 for regularization of the unauthorised construction.

The petitioner submits that without considering the said representation, the Corporation is proceeding to demolish the alleged unauthorised construction.

The Corporation submits that the deviation is not minor in nature, in fact, the petitioner has constructed

one additional floor beyond the sanctioned plan ignoring the stop work notice issued by the Corporation.

There is no necessity to keep this writ petition pending in view of the facts as noticed above.

The writ petition is disposed of with a direction upon respondent no. 6 to consider the representation of the petitioner dated November 19, 2022, as appearing in page 57 of the writ petition, in accordance with law within a period of one month from date. Till such consideration is made, the Corporation shall stay its hands from demolishing the construction.

WPA 12857 of 2023 is disposed of.

(Kausik Chanda, J.)