

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

WPA 13658 of 2023

**Nortech Property Pvt. Ltd. & Ors.
-versus
The Kolkata Municipal Corporation & Ors.**

**Mr. Piyush Chaturvedi,
Mr. Suman Basu,
Mr. Abdul Masood,
Mr. Debanwita Pramanik.
... For the petitioners.**

**Mr. Srijan Nayak,
Mr. Rituparna Maitra.
...For the KMC.**

The plan proposal submitted by the petitioners before the Kolkata Municipal Corporation is pending consideration from the year 2017.

Learned advocate representing the Corporation relies upon the instruction forwarded by two engineers of the Corporation signed on 28th June, 2023 which mentions that the plan proposal was forwarded to the Environment and Heritage Department on 22nd April, 2017 for observation and report. Till date the building department has not received any report from the Environment and Heritage Department.

The Municipal Building Committee cleared the proposal for sanction vide meeting no. 534 item no. 027/17-18 dated 12th May, 2017 and passed resolution to recommend for sanction subject to compliance of other departmental requisitions and circulars, if any. As the observation is still pending before the

Environment and Heritage Department the building department is not in a position to process the file.

As it appears that the proposal is pending consideration at the end of the Corporation for nearly six years, accordingly, the Corporation is directed to dispose of the same in accordance with law at the earliest but positively within a period of thirty days from the date of communication of this order. If required, the Corporation may afford an opportunity of hearing to the representative of the petitioners. If there is any defect or deficiency in the plan proposal, the same shall be made known to the petitioners so that the defect(s) may be rectified. The final order shall be communicated to the petitioners immediately thereafter.

The writ petition stands disposed of.

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

(Amrita Sinha, J.)