

06
09.01.2023
d.p.

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

W.P.A. 14894 of 2021

**Subrata Deb Roy
-versus
The Kolkata Municipal Corporation & Ors.**

**Mr. Raghunath Chakraborty,
Mr. Janardan Mondal.
...For the Petitioner.**

**Mr. N.C. Bihani,
Mr. Abhishek Sikdar.
...For KMC.**

The petitioner submits that as per the notice dated 6th September, 2021, the petitioner appeared before the Executive Engineer (Building) and submitted all documents in support of the construction made.

The matter is pending consideration before the Executive Engineer and no final order has yet been passed.

Learned advocate appearing for the Kolkata Municipal Corporation submits, upon instruction, that departmental inspection of the subject premises revealed some deviation beyond the sanctioned plan.

The department issued stop work notice under Section 401 of the Kolkata Municipal Corporation Act, 1980 with intimation to the local police station.

An opportunity of hearing was given to the person responsible and the Special Officer (Building) passed an order of demolition on 30th November, 2022.

The matter is presently pending finalization/approval before the Mayor-in-Council.

A copy of the order dated 30th November, 2022 has already been handed over to the learned advocate appearing for the petitioner in Court today.

It will be open for the petitioner to take appropriate steps, in the event he is aggrieved by the order passed by the Special Officer.

No further order is required to be passed in the present writ petition.

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.)