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11.01.2023
d.p.

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

W.P.A 14885 of 2022

**Kiswar Khatoon
-versus
The Kolkata Municipal Corporation & Ors.**

**Mr. Rabindra Narayan Dutta,
Mr. Hare Krishna Halder.
...For the State.**

**Mr. Achintya Kumar Banerjee,
Mr. Badal Saha.
...For KMC.**

None appears on behalf of the petitioner though the matter was mentioned for upgradation citing urgency. The Kolkata Municipal Corporation and the State are duly represented by their learned advocates.

From the averments made in the writ petition it appears that, the petitioner alleges illegal and unauthorized construction at the instance of the respondent No.10 at premises no. 1S, Sapgachi, 1st Lane, Ward-66, Borough-VII under the jurisdiction of the Kolkata Municipal Corporation.

The petitioner complains that the objection filed against such unauthorized construction has not been considered.

Learned advocate appearing for the Kolkata Municipal Corporation has obtained instruction from

the Sub-Assistant Engineer (Civil)/Building and Assistant Engineer (Civil)/Building, Borough-VII which mentions that the department inspected the premises and found that five storied RCC structure has been constructed without any sanctioned building plan.

The department issued stop work notice and intimated the matter to Tiljala Police Station.

Steps have been taken under Section 400(1) of the Kolkata Municipal Corporation Act, 1980.

As it appears from the above instruction that the department has already detected massive unauthorized construction made without any sanctioned plan, accordingly, the Executive Engineer (Civil)/Building of Borough-VII is directed to take prompt necessary steps to demolish such unauthorized construction in accordance with law.

The aforesaid respondent shall ensure that the proceeding is concluded positively within a period of twelve weeks.

The instruction given by the engineers of the Corporation be taken on record.

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.)