

Item No.29

In the High Court at Calcutta
Constitutional Writ Jurisdiction
Appellate Side

08.12.2023
Ct-24
AGM

WPA 15749 of 2023

Sk. Ghulam Rasul & Anr.
v.
The State of West Bengal & Ors.

Mr. Pratip Mukherjee
Ms. Chaitali Mukherjee

... for the petitioners.

Mr. Barin Banerjee
... for the KMC.

Mr. Kakali Naskar
... for the State.

The petitioners intend to obtain certain information from the Corporation in respect of the premises no. 30A, Giribabu Lane, Ward No. 44, Borough- V under the jurisdiction of the Kolkata Municipal Corporation.

The petitioners claim to be the owners of the subject premises.

It appears that the petitioners are already aware that complaint under Section 401A of the KMC Act, 1980 was lodged before the police on account of unauthorised construction carried out at the subject premises.

Learned advocate representing the Corporation has obtained instruction from the Executive Engineer

(Building), Borough- IV and V mentioning that First Information Report was lodged before the Bowbazar Police Station on 16th December, 2020 and the proceeding under Section 400(1) of the KMC Act has been initiated.

It has been noticed that additional floor was constructed illegally and the mandatory side open space has been infringed.

It will be open for the petitioners to apply before the Corporation under the Right to Information Act for obtaining necessary information in connection to the subject premises.

Instruction forwarded by the Executive Engineer (Building) be retained with the records.

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.)