

7 **15.03.2023**

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WPA/17827/2021

ABU TALEB
VS
THE MUNICIPAL COMMISSIONER,
KOLKATA MUNICIPAL CORPORATION AND ORS.

With

WPA/521/2023

JAMEEL MANZAR AND ANR.
VS
THE KOLKATA MUNICIPAL CORPORATION AND ORS.

Mr. Rabiuddin Ahmed,
Md. Afsar

..for the Petitioner in WPA/17827/2021
and for the respondent nos. 4 and 5 in
WPA/521/2023.

Mr. Sakya Sen,
Mr. Tauseef Khan,
Mr. Arindam Paul

..for the Petitioners in WPA/521/2023
and the Respondent Nos.6 and 7 in
WPA/17827/2021.

Mr. Rama Prasad Sarkar,
Mr. Bidhan Biswas

..for the State in WPA/17827/2021.

Mr. Srijan Nayak,
Mr. Subhrangsu Panda

..for KMC in WPA/17827/2021.

Mr. N.C. Bihani,
Ms. Manisha Nath

..for KMC in WPA/521/2023.

An undertaking has been filed by petitioner no. 1
Jameel Manzar on his behalf and on behalf of Parveen
Bano petitioner no. 2 in WPA 521 of 2023 annexing a
proposed sketch plan mentioning the area which the
tenants Areful Haque and Yasmin Begum is presently

occupying and the area that will be provided to them after construction of the new building after demolition of the existing one.

A copy of the undertaking has been handed over to the learned Advocate representing the tenants.

Jameel Manzar and Parveen Bano also takes the responsibility of bearing the charges for shifting the tenants and the occupation charges for the period the tenants will be out of possession of their tenanted premises.

The charges of shifting and occupation shall be decided mutually by the parties and shall be commensurate to the present tenanted area which the tenants are occupying.

Jameel Manzar and Parveen Bano will be at liberty to apply before the Kolkata Municipal Corporation seeking modification of the ground floor plan of the subject premises and shifting shall be done only after the proposed amended plan is sanctioned by the Corporation.

Undertaking has been given to reinstate the tenants in the new construction within eighteen months from the date of receiving the amended sanctioned plan.

The parties shall be bound to comply with the conditions as mentioned in the said undertaking.

In view of the aforesaid undertaking, both the writ petitions stand 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.)