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11.01.2023
d.p.

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

W.P.A 18965 of 2022

**Ramakant Upadhyay
-versus
The Kolkata Municipal Corporation & Ors.**

**Mr. Siddhartha Banerjee,
Mr. S. Das,
Ms. Ananya Chakraborty.
...For the Petitioner.**

**Mr. Gopal Chandra Das,
Mr. Rudranil De.
...For KMC.**

**Mr. Arindam Banerjee,
Mr. Francis Samson Correa,
Mr. Sunny Nandy,
Ms. Sneha Singh.
...For the Respondent No. 10.**

**Ms. Sweta Mukherjee,
Mr. Ratul Das.
...For the State.**

The petitioner is aggrieved by the act of the Kolkata Municipal Corporation in taking steps to regularize the alleged unauthorized construction made at premises no.105/3, formerly known as 105, Bidhan Nagar Road, P.S.-Ultadanga, Kolkata-700067.

Learned advocate appearing for the Kolkata Municipal Corporation has submitted instruction from the Executive Engineer (Civil)/Building Department, Borough-III, Kolkata Municipal Corporation signed on

13th December, 2022 mentioning that the demolition proceeding was executed under Section 400(1) and 416 KMC Act, 1980 and by the order of the Special Officer (Building) dated 20th August, 2022, the deviation was regularized. The amount demanded for regularization has already been paid by the person responsible for making construction.

As it appears at present that the alleged deviation has already been regularized, it will be open for the petitioner to approach the appropriate forum, if he is at all aggrieved by the order of regularization.

There is no scope for passing any further order 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.)