

Item No.6

In The High Court At Calcutta
Constitutional Writ Jurisdiction
Appellate Side

04.04.2023
Ct-24

WPA 19665 of 2022
Mrs. Hansi Roy & Ors.

v.

The Secretary, Department of Urban Development &
Municipal Affairs Department, Government of West
Bengal & Ors.

Mr. Soumya Dasgupta
Mr. Somnath Banerjee
Mr. Balaji Chakraborty
Mr. Anjana Mehboob
... for the petitioners.

Mr. Jahar Dutta
Mr. Bipin Ghosh
... for the State.

Mr. Ranajit Chatterjee
Ms. Manisha Nath
... for KMC.

Mr. Satyajit Talukdar
... for KMDA.

A status report has been filed by the Executive Engineer, ECPD-I/E&AM/KMDA dated February 20, 2023 mentioning that the residual demolition of the portion of unauthorized construction has been completed on February 9, 2023. The foundation structure has been transformed into pieces and the longitudinal column bars have been demolished prohibiting any scope of concrete casting work. Photograph of demolition has also been annexed with the report.

The learned advocate for the petitioners submits that the plinth is yet to be demolished. It has, however, been admitted that the structure in question has been demolished.

In view of the above submissions, it appears that substantial demolition has taken place. In the event any further construction is made contrary to the municipal laws, then it will be open for the petitioners to approach the appropriate authority for relief.

The writ petition stands disposed of.

One of the photographs handed over by the petitioners be retained with the records.

Urgent certified photocopy of this order, if applied for, be supplied to the parties expeditiously on compliance of usual legal formalities.

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(Amrita Sinha, J.)