

Item No.14

In The High Court At Calcutta
Constitutional Writ Jurisdiction
Appellate Side

30.08.2023
Ct-24

WPA 20054 of 2023
Soumen Mondal

v.

The Kolkata Municipal Corporation & Ors.

Mr. Dibyendu Chatterjee
Mr. Mainak Singha Barma
Mr. Rahul Deb
... for the petitioner.

Mr. Debjit Mukherjee
Mr. Dipankar Ghosh
... for the State.

The impugned notice under Sections 544 and 546 of the Kolkata Municipal Corporation Act, 1980 dated August 12, 2023 appears to have been acted upon by the Kolkata Municipal Corporation. The report of the Assistant Engineer (C) and Executive Engineer (C)/Bldg/Br-XVI dated August 19, 2023 mentions that the hoarding and as well as the face of the existing shop has been removed.

Learned advocate for the petitioner submits that the petitioner intends to prefer an appeal before the statutory forum.

As it appears that the engineers of the Corporation have already taken steps in terms of the order dated November 24, 2021, accordingly, there is no requirement of passing any order in the present writ petition.

It will be open for the petitioner to take appropriate steps before the competent authority in accordance with law, if so advised.

The Executive Engineer of the concerned borough is directed to supply the certified copy of the impugned order sought for by the petitioner in response to his application dated August 16, 2023 appearing at page 69 of the writ petition subject to payment of necessary fees.

The writ petition stands disposed of.

Report of the Assistant Engineer(C) and the Executive Engineer(C)/Bldg/Br-XVI dated August 19, 2023 is taken on record.

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.)