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11.10.2023
Court No. 24
AGM

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

WPA 24343 of 2023

**Md. Sultan Hossain Laskar & Ors.
-versus
The Kolkata Municipal Corporation & Ors.**

**Mr. Soumik Ganguly
Mr. Nazmul Touhid
Mr. Souvik Dere**

...For the petitioners.

**Mr. Atish Kumar Biswas
Mr. Kaustav Bhattacharya
... For the K.M.C.**

The petitioners are aggrieved by the order of demolition passed by the Corporation invoking Section 400 (8) of the Kolkata Municipal Corporation Act, 1980 at premises no. U-134, S.A. Farooque Road, Ward No. 139, Borough No. XV, P.S. Rajabagan.

Learned advocate representing the petitioners submits, upon instruction that, during pendency of the writ petition the demolition work has already been conducted.

Learned advocate representing the Corporation submits, upon instruction that, the person(s) responsible constructed additional floors without any sanction. Permission was granted for construction of G+1 storied building whereas the person(s) responsible constructed a five storied building, that is, three additional floors were constructed.

The Corporation is directed to take prompt necessary steps for demolition of any balance unauthorized construction that is yet to be demolished.

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.)