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13.12.2023
d.p.

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

W.P.A. 25691 of 2023

**Md. Ekhlas Sami
-versus
The Kolkata Municipal Corporation & Ors.**

**Mr. Debanshu Ghorai,
Ms. Karunamoyee Samanta,
Mr. Rajdeep Adhikari.
...For the Petitioner.**

**Mr. Gurudas Mitra,
Mr. Mihir Kundu.
...For KMC.**

**Mr. Shivaprasad Ghosh,
Mr. Syed Md. Ali.
...For the Private Respondent.**

On a perusal of the instruction forwarded by three engineers of the building department, Borough-III, Kolkata Municipal Corporation signed on 12th December, 2023, it appears that a spot inspection was conducted upon notice to the parties at premises no.3, Kasai Bustee Cross Lane, Ward No. 29, Borough-III to ascertain the nature and extent of unauthorized construction.

The inspection was conducted on 7th December, 2023 and it was revealed that a building has been constructed upto 3rd storied and the shuttering work has been completed over the roof of the 3rd storied building. The said construction was going on without obtaining any sanction plan from the department.

As it appears that the Corporation has already detected unauthorized construction, accordingly, the Corporation is directed to proceed in accordance with law to deal with such unauthorized construction.

The proceeding shall be conducted and concluded at the earliest, but positively within a period of twelve weeks from the date of communication of this order.

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.)