

49
04.12.2023
A.G.M.

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

W.P.A 25770 of 2023

**Rajay Banerjee & Anr.
-versus
The Kolkata Municipal Corporation & Ors.**

**Mr. Bidyut Kumar Halder
Mr. Indranil Halder
Ms. Neha Singh
...For the Petitioner.**

**Mr. S. Panda
Mr. Atis Kumar Biswas
... For the KMC.**

**Mr. Saptansu Basu, Sr. Adv.
Mr. Aritra Basu
Mr. Abhijit Sarkar
Mr. Abhik Chitta Kundu
... For the Private respondent.**

The petitioners complain of illegal and unauthorised construction at the behest of the private respondent no. 4.

Learned senior counsel representing the respondent no. 4 submits before the Court that no unauthorised construction has been made. Undertaking has been given that no construction, devoid of any sanction plan, will be carried out by the private respondents.

Learned advocate representing the Corporation admits detection of unauthorised construction. Proceeding has already been initiated to deal with the unauthorised construction. A stop work notice has also been issued.

The Corporation is directed to take steps to conclude the proceeding to deal with the unauthorised construction in accordance with law at the earliest but positively within a period of twelve weeks from the date of communication of this order.

The Executive Engineer of the concerned Borough and the Officer-in-Charge of the concerned Police Station are directed to keep strict vigil over the property to ensure that construction in any manner whatsoever is not carried out.

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.)