

23-06-2023  
ct no. 24  
Sl. 10  
Sayandeep

**WPA 26826 of 2022**

Smt. Lily Bhuiya

**-Versus-**

The Kolkata Municipal Corporation & Ors.

Mr. Tanmoy Mukherjee

Ms. Fatima Hassan

...for the petitioner

Mr. Achintya Banerjee

Ms. Piyali Sengupta

...for the KMC

A copy of the order dated 14.03.2023 passed by the Special Officer (Building), KMC in demolition case No. 28-D/IV/22-23 along with the demolition sketch has been produced in Court by the learned advocate representing the Kolkata Municipal Corporation. The same has been handed over to the learned advocate representing writ petitioner in Court.

Along with the aforesaid documents, the money receipt showing payment of Rs.1,14,088/- only by the private respondents before the Kolkata Municipal Corporation on account of regularization charges-security deposit on 24<sup>th</sup> January, 2023 has been produced before this Court.

A further receipt issued by the Kolkata Municipal Corporation on 17<sup>th</sup> June, 2023 showing payment of Rs. 3,58,242/- on account of charges for regularization of the unauthorized construction has also been annexed with the documents handed over by the learned advocate representing the Corporation.

Learned advocate for the petitioner submits that the Corporation did not afford any opportunity for hearing to the complainant prior to passing the order of regularization. The order of regularization was also not within the knowledge of the petitioner.

The order passed by the Special Officer (Building) is an appealable one. It will be open for the writ petitioner to challenge the same before the appropriate forum in accordance with law, if so advised.

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.)**

