

74.
14.03.2023
S.D.

W.P.A. 27728 of 2022

Prabir Ranjan Basu
Vs.
The State of West Bengal & Ors.

Mr. Shuvam Shaw

... For the Petitioner.

Mr. Gopal Chandra Ghosh

Mr. Rajkrishna Mondal

..For the Private Respondent

Mr. Himadri Sekhar Chakraborty

Mr. Susnita Saha

...For the State

Mr. Debjit Mukherjee

Mr. D. De Nayak

...For the KMC

Mr. Satyajit Talukdar

...For the K.M.D.A.

The petitioner complains of illegal and unauthorized construction at the instance of the private respondent.

Learned advocate representing the private respondent denies the allegation of the petitioner. It has been submitted that the construction in question is in existence for a considerable period of time.

A report has been filed by the Assistant Engineer (Civil), Building Department, Borough -I, K.M.C. signed on 19th December, 2022 wherefrom it appears that an inspection was conducted by the department and it was found that there exist an

old two-storied building which may be more than 60 years of age. Some maintenance/renovation/repairing work has been found to be done in the building, but no new unauthorized construction has been detected.

From the report filed by the Corporation, the allegation of unauthorized construction raised by the petitioner remains unsubstantiated.

In view of the above, no relief can be granted to the petitioner in the instant writ petition.

The writ petition fails and is hereby dismissed.

The instruction filed by the K.M.C. be retained with the records.

Urgent photostat certified copy of this order, if applied for, be given to the parties on completion of usual formalities.

(Amrita Sinha, J.)