

ORDER SHEET

WPO/134/2023
IN THE HIGH COURT AT CALCUTTA
CONSTITUTIONAL WRIT JURISDICTION
ORIGINAL SIDE

MADANLAL NAHATA AND ORS.
VS
THE KOLKATA MUNICIPAL CORPORATION AND ORS.

BEFORE:
The Hon'ble JUSTICE AMRITA SINHA
Date: 22nd February, 2023.

Appearance:
Mr. Suman Dey, Adv.
...For the Petitioner
Mr. Biswajit Mukherjee, Adv.
Mr. Debangshu Mondal, Adv.
...For the KMC
Mrs. Sipra Majunder, Adv.
Ms. Debarati Sen (Bose), Adv.
...For the State
Mr. Ranjit Kr. Jaiswal, Adv.
Mr. Nandalal Pradhan, Adv.
...For private respondent

The Court: The demolition case being No. D-09/IX/13-14 is pending consideration before the Special Officer (Building) for a considerably long period of time.

The petitioners submit that the initial complaint alleging unauthorized construction was lodged before the Kolkata Municipal Corporation way back in 1993. This Court passed order on 16th August, 2010 directing the Executive Engineer, Borough-IX, KMC to dispose of the objection filed. The matter went up before the learned Municipal Building Tribunal but the same was remanded back for consideration. The same is pending till date.

In view of above, the instant writ petition is disposed of by directing the Municipal Commissioner or his delegate to dispose of the objection filed by the petitioner alleging illegal and unauthorised construction at 8,

Commissariat Road, P.S. Hastings, Kolkata-700022 at the earliest but positively within a period of twelve weeks from the date of communication of this order. A reasonable opportunity of hearing shall be granted to all the necessary parties prior to final disposal of the aforesaid demolition case. A reasoned order shall be passed and communicated to the parties immediately thereafter.

The writ petition stands disposed of.

Affidavit of service filed in Court be retained with the record.

Urgent photostat certified copy of this order, if applied for, be supplied to the parties upon compliance of all legal formalities.

(AMRITA SINHA, J.)

TR/

