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ORDER SHEET

WPO No.264 of 2023
IN THE HIGH COURT AT CALCUTTA
Constitutional Writ Jurisdiction
ORIGINAL SIDE

KESHAV KUMAR DUBEY
VS.
THE KOLKATA MUNICIPAL CORPORATION & ORS.

BEFORE:
The Hon'ble JUSTICE AMRITA SINHA
Date: 5th April, 2023.

Mr. Nirmalya Dasgupta, Mr. Rajesh Upadhyay, Advocates for the Petitioner.

Mr. Barin Banerjee, Mrs. Sima Chakraborty, Advocates for KMC.

Mr. Arindam Banerjee, Mr. A. Rakshit, Advocates for Pvt. Respondent.

Mr. Debjit Mukherjee, Mr. Susmita Chatterjee, Advocates for the State.

The Court:-In compliance of the direction passed by the Court a spot inspection was conducted in the presence of the parties. The engineers of the Kolkata Municipal Corporation detected unauthorized construction.

A copy of the report filed in Court has been circulated amongst the parties.

The Executive Engineer, Kolkata Municipal Corporation of the concerned Borough is directed to take necessary steps in accordance with law to deal with the unauthorized construction. Opportunity of hearing shall be given to all the necessary parties. A reasoned order shall be passed and communicated to the parties. The aforesaid exercise shall be concluded at the earliest, but positively within a period of twelve weeks from the date of communication of this order.

As the Corporation detected unauthorized construction and notice under Section 401 of the Kolkata Municipal Corporation Act, 1980 has been served to forthwith stop all construction works, accordingly, the Officer-in-Charge, Jorasanko Police Station is directed to ensure that construction in any manner whatsoever is

not carried out at the subject premises till the matter is finally decided by the Kolkata Municipal Corporation.

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.)

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