

ORDER SHEET

IA GA 1 OF 2023
RVWO 6 OF 2023
ARISING OUT OF
WPO/3353/2022
IN THE HIGH COURT AT CALCUTTA
CONSTITUTIONAL WRIT JURISDICTION
ORIGINAL SIDE

M/S. KHETAWAT PROPERTIES LIMITED AND ANR
VS
KOLKATA MUNICIPAL CORPORATION AND ORS.

BEFORE:

The Hon'ble JUSTICE AMRITA SINHA

Date: 17th February, 2023.

Appearance:
Mr. Bratin Kumar Dey, Adv.
Ms. Anjana Banerjee, Adv.
...For the Petitioner
Mr. Gurudas Mitra, Adv.
Mr. Fazlul Haque, Adv.
...For the KMC
Mr. Debashis Ghosh, Adv.
Mr. Sayan Ganguly, Adv.
...For the State

The Court: Petitioners have prayed for review of the order passed by this Court on 22nd December, 2022 dismissing the writ petition relying on the instruction provided by the engineers of the Corporation that no unauthorised construction was found at the site during inspection.

Learned advocate for the petitioners submits that unauthorised construction is going on in full swing at the subject premises. The petitioners have annexed photographs in support of the said submission.

It appears that on the date the inspection was conducted, the men and agents of the Corporation did not notice any unauthorised construction. By now, the unauthorised construction may have started.

It will be open for the petitioners to file appropriate objection before the concerned executive engineer of the borough in support of the relief sought for.

In the event, any representation is made by the petitioners alleging unauthorised construction, giving details thereof, the same shall be taken up for consideration by the concerned executive engineer in accordance with law, at the earliest.

There is no requirement of reviewing the order as sought for. The application for review 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.)

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