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IN THE HIGH COURT AT CALCUTTA
Constitutional Writ Jurisdiction
ORIGINAL SIDE

WPO/924/2023

TRANSPARENCY BUILDERS PRIVATE LIMITED & ANR.
VERSUS
THE KOLKATA MUNICIPAL CORPORATION & ORS.

BEFORE :
THE HON'BLE JUSTICE AMRITA SINHA
Date : 15th May, 2023.

Appearance:
Mr. Partha Sarathi Deb, Adv.
Mr. Amit Gupta, Adv.
...for the petitioners.

Mr. Achintya Banerjee, Adv.
Mr. Swapan Kumar Debnath, Adv.
...for the KMC.

The Court : The matter relates to sanction of building plan in respect of premises no. 32A, Elliot Road, Ward No.61, Borough-VI under jurisdiction of the Kolkata Municipal Corporation. The structure standing at the aforesaid premises has been declared as heritage – Grade-III.

The petitioners submit that the plan proposal for sanction was submitted physically in April, 2022, but thereafter the Corporation has not taken any steps for sanction of the plan submitted. Representation was filed by the petitioners in March, 2023. The same is yet to be considered.

Learned advocate representing the Kolkata Municipal Corporation submits, upon instruction, that the Heritage Conservation Committee has already accepted the proposal of the petitioners and necessary consequential steps will be taken in the matter shortly.

As it appears that a final decision is yet to be taken by the Kolkata Municipal Corporation apropos the plan proposal submitted by the petitioners,

accordingly, the instant writ petition is disposed of by directing the Municipal Commissioner to take a decision with regard to the plan proposal submitted by the petitioners for sanction in accordance with law after giving reasonable opportunity of hearing to all necessary parties and pass a reasoned order and communicate the same to the parties immediately thereafter. Steps shall be taken in the matter at the earliest but positively within a period of twelve weeks from the date of communication of this order.

The writ petition being WPO/924/2023 is, thus, disposed of.

Affidavit of service filed in Court today be retained with the records.

Urgent certified photocopy of this order, if applied for, be supplied to the parties expeditiously on compliance of usual legal formalities.

(AMRITA SINHA, J.)