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ORDER SHEET
WPO No.2348 of 2022
IN THE HIGH COURT AT CALCUTTA
Constitutional Writ Jurisdiction
ORIGINAL SIDE

SUMANTA BISWAS & ORS.
VS.
THE STATE OF WEST BENGAL & ORS.

BEFORE:
The Hon'ble JUSTICE AMRITA SINHA
Date: 20th March, 2023.

Mr. Sandip Kr. De, Mr. Abhijit Sarkar, Advocates for the petitioners.

Mr. Rudranil De, Mr. Debangshu Mondal, Advocates for K.M.C.

Ms. Sanjukta Ray, Advocate for LIC.

Mrs. Sipra Majumder, Ms. Debarati Sen (Bose), Advocates for the State.

The Court:- There is a typographical error in the date of the order passed on 13th March, 2023. The date of the last order should read as '**13th March, 2023**'.

The existing plan in respect of the premises Nos. 9, 10 & 11, Jawaharlal Nehru Road, Kolkata has been circulated amongst the parties.

By the impugned order the Kolkata Municipal Corporation directed the owners to submit proposed plan for reconstruction.

It will be open for the owners to prepare the proposed plan and submit the same before the Kolkata Municipal Corporation.

Prior to taking a final decision in the matter, the Commissioner, Kolkata Municipal Corporation or his delegate shall afford an opportunity of hearing to all the necessary parties including the tenants and occupiers of the subject premises.

The tenants/occupiers shall be permitted to rely upon all the documents in support of their rights in the subject premises.

It will also be open for the tenants/occupiers to bring to the notice of the structural engineer to be engaged by the Life Insurance Corporation of India, the features of the existing building which may be inadvertently not being reflected in the comprehensive plan that has been prepared in respect of all the three premises.

A final order shall be passed within a period of ninety days from the date of submission of the reconstruction plan by the Life Insurance Corporation of India.

Prior to effect any demolition at the subject premises, a further notice shall be given to all the necessary parties.

The writ petition stands disposed of.

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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