

OD-7

ORDER SHEET
WPO No.1675 of 2023
IN THE HIGH COURT AT CALCUTTA
Constitutional Writ Jurisdiction
ORIGINAL SIDE

DEBAJYOTI SINHA
VERSUS
THE KOLKATA MUNICIPAL CORPORATION & ORS.

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

Appearance:
Mr. Kallol Bose, Adv.
Mr. Anindya Bose, Adv.
Mr. Amit Gupta, Adv.
...for Petitioner.

Mr. Gopal Chandra Das, Adv.
... for K.M.C.

The Court:-The matter relates to premises no.1/1/1A, Marhatta Ditch Lane, Ward No.7, Borough-I, Kolkata-700003 under the jurisdiction of the Kolkata Municipal Corporation.

On detection of unauthorized construction being made in deviation of the sanctioned/approved plan, a notice under Section 401 of the Kolkata Municipal Corporation Act, 1980 was issued upon the person responsible on 8th September, 2023.

The notice under section 401 of the Act was issued in favour of Chandra Sekhar Biswas & Ors.

The present petitioner claims that he is the recorded owner of the subject premises. He filed an application on 14th September, 2023, that is after the stop work notice was issued, seeking regularisation of the additional floor that has been constructed.

Learned advocate representing the Corporation submits that the stop work notice has been issued and necessary steps will be taken in the matter.

Upon hearing the parties and upon perusal of the materials on record it appears that, admittedly, the petitioner is guilty of raising unauthorised construction by making additional floor.

It will be open for the Corporation to take all necessary steps to deal with the unauthorised construction in accordance with law.

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.)