

OD-3

WPO/1748/2023
IN THE HIGH COURT AT CALCUTTA
CONSTITUTIONAL WRIT JURISDICTION
ORIGINAL SIDE

DR. RANJAN KUMAR MITRA
VS
THE KOLKATA MUNICIPAL CORPORATION AND ORS.

BEFORE:

The Hon'ble JUSTICE AMRITA SINHA

Date: 11th December, 2023.

Appearance:
Mr. Soumyajit Mishra, Adv.
Mr. Balarko Sen, Adv.
Mr. Abhrajit Roy Chowdhury, Adv.
...for petitioner.

Mr. Swapan Kr. Debnath, Adv.
Mr. Atis Biswas, Adv.
. . .for the K.M.C.

Mr. Debjit Mukherjee, Adv.
Ms. Kalpita Paul, Adv.
...for State.

The Court: From the report filed by the three engineers of Borough IV and V, Kolkata Municipal Corporation signed on 04.12.2023 it appears that joint inspection, upon notice to the parties was conducted on 30.11.2023. The petitioner was present at the time of inspection but the private respondent was not.

Inspection revealed that there is a three storied masonry building at premises no. 35B, Kailash Bose Street, Ward No.27, Borough IV, Kolkata. The second floor and staircase from the ground floor to second floor have been illegally constructed without obtaining any sanction plan.

It appears from the report that unauthorised construction has been detected. The unauthorised construction was earlier detected in July, 2019 but no steps whatsoever was undertaken to deal with the same.

The Executive Engineer [Civil]/Building is directed to take prompt necessary steps to deal with the unauthorised construction in accordance with law at the earliest, but positively within a period of twelve weeks from the date of communication of this order. Reasoned order shall be passed and communicated to all the parties.

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.)

nm.