

WPO/1802/2023

IN THE HIGH COURT AT CALCUTTA
Constitutional Writ Jurisdiction
ORIGINAL SIDE

NUR ALAM
VS
THE KOLKATA MUNICIPAL CORPORATION AND ORS.

BEFORE:

The Hon'ble JUSTICE AMRITA SINHA

Date: 15th December, 2023.

Appearance:
Mr. Masood Karim, Adv.
Ms. Ankita Dey, Adv.
...for the petitioner

Mr. Barin Banerjee, Adv.
Mr. Swapan Kr. Debnath, Adv.
...for the K.M.C.

Ms. Joyee Maiti, Adv.
Mr. Saikat Koley, Adv.
...for the State

The Court: The petitioner complains of illegal and unauthorized construction at premises no. 2/1/H/2, Narkeldanga Main Road, Ward No.29, Borough-III under the jurisdiction of Kolkata Municipal Corporation. The petitioner alleges that the objection filed against such unauthorized construction is pending consideration till date.

Learned advocate representing the Kolkata Municipal Corporation has obtained instruction from the Assistant Engineer and the Executive Engineer (C), Building Department, Borough – III wherein it has been mentioned that unauthorized construction was detected and notice under Section 401 of the

K.M.C. Act, 1980 was issued with intimation to the Narkeldanga Police Station. Proposal under Section 400 of the Act has been sent to the higher authority for approval on 24th June, 2023.

As it appears that the Corporation has detected unauthorized construction and has proposed to take steps under Section 400 of the Act, accordingly, the Executive Engineer, Building Department, Borough – III being the respondent no.4 herein is directed to take prompt necessary steps for conclusion of the proceeding to deal with the unauthorized construction in accordance with law at the earliest but positively within a period of twelve weeks from the date of communication of this order.

The writ petition stands disposed of.

(AMRITA SINHA, J.)