

OD-1

ORDER SHEET
IN THE HIGH COURT AT CALCUTTA
Constitutional Writ Jurisdiction
ORIGINAL SIDE

WPO No.1815 of 2023
RESHMA ISMAT
VERSUS
KOLKATA MUNICIPAL CORPORATION & ORS.

With
WPA 8671 of 2023
REZA ALI
VERSUS
STATE OF WEST BENGAL & ORS.

BEFORE:
The Hon'ble JUSTICE AMRITA SINHA
Date:6th December, 2023.

Appearance:
Mr. Avirup Chatterjee, Adv.
..for Petitioner in WPO
1815 of 2023 & for
the respondent no.
5 in WPA 8671 of
2023.

Mr. Gopal Chandra Das, Adv.
Mr. Subhrangsu Panda, Adv.
Ms. Ina Bhattacharyya, Adv.
...for KMC in WPO 1815
of 2023.

Mr. Ranajit Chatterjee, Adv.
...for respondent no. 7
in WPO 1815 of 2023 &
for respondent no. 4 in
WPA 8671 of 2023.

Mr. Samim Ahmed, Adv.
Mr. Arka Maity, Adv.
Ms. Gulsanwara Pervin, Adv.
....for respondent no. 4
in WPO 1815 of 2023 & for
the petitioner in WPA 8671
of 2023.

Re: WPO/1815/2023

The Court:- The order of demolition passed by the Special Officer [Building] on 11.05.2023 is impugned in the instant writ petition. The petitioner alleges violation of the principle of natural justice and submits that notice of the demolition proceeding was not served upon her.

Learned advocate representing the Kolkata Municipal Corporation has produced copy of the Vakalatnama of the learned advocate, who represented the petitioner before the Special Officer [Building], the attendance sheets of the

hearing case showing the signature of the learned advocate on repeated occasions.

It appears that an interim order was also passed in presence of the said learned advocate and the learned advocate received a copy of the said order way back on 13.04.2021.

Learned advocate on record of the petitioner submits that he was not posted with the proper facts and the writ petition was prepared as per the instruction provided by the petitioner.

As it appears that the averments made in the writ petition are absolutely false and incorrect, accordingly, the Court is not inclined to interfere in the instant writ petition and the same stands dismissed.

Documents produced by the learned advocate representing the Corporation be retained with the records.

Re: WPA/8671/2023

The matter is directed to be de-tagged and be placed in the appellate side list.

Urgent photostat certified copy of this order, if applied for, be supplied to the parties, upon compliance of all legal formalities.

(AMRITA SINHA, J.)