

WPO/1834/2023

IN THE HIGH COURT AT CALCUTTA  
Constitutional Writ Jurisdiction  
ORIGINAL SIDE

SHIVNARAYAN GUPTA  
VS  
THE KOLKATA MUNICIPAL CORPORATION AND ORS.

BEFORE:

The Hon'ble JUSTICE AMRITA SINHA

Date: 15<sup>th</sup> December, 2023.

*Appearance:*  
*Mr. Lalratan Mandal, Adv.*  
*...for the petitioner*

*Mr. Barin Banerjee, Adv.*  
*Mr. Arijit Dey, Adv.*  
*...for the K.M.C.*

*Mr. Yash Vardhan Deora, Adv.*  
*...for the State*

*Mr. S.R. Saha, Adv.*  
*Mr. Akash Sarkar, Adv.*  
*...for the private respondents*

The Court: The petitioner complains of illegal and unauthorized construction at the behest of the private respondent at premises no. 17, Goenka Lane, Ward No.23, Borough – IV of the Kolkata Municipal Corporation. Allegation is that objection filed against such unauthorized construction has not been taken up for consideration till date.

Learned advocate representing the private respondent denies the allegation of the petitioner. It has been submitted that construction is being made in accordance with the plan sanctioned by the Corporation.

Learned advocate representing the Corporation has received instruction from the Sub-Assistant Engineer and the Executive Engineer (C)/Building signed on 14<sup>th</sup> December, 2023 mentioning that the construction work is going on as per the sanctioned plan under the supervision of the LBS and Empanelled Structural Engineer of the Corporation.

Upon hearing the parties and upon perusal of the materials on record, it appears that the allegation of the petitioner remains unsubstantiated. The construction is reported to be going on in accordance with the sanctioned plan.

The engineers of the Corporation shall keep strict vigil to ensure that no unauthorized construction takes place at the subject premises.

The writ petition stands disposed of.

Instruction forwarded by the engineers of the Corporation be retained with the records.

(AMRITA SINHA, J.)