

WPO No.1871 of 2023
IN THE HIGH COURT AT CALCUTTA
Constitutional Writ Jurisdiction
ORIGINAL SIDE

AFTAB AHMED
VS.
THE KOLKATA MUNICIPAL CORPORATION & ORS.

BEFORE:
The Hon'ble JUSTICE AMRITA SINHA
Date:20th December, 2023.

Appearance:
Mr. Biswarup Biswas, Adv.
Mr. Kajal Baran Roy, Adv.
... for the Petitioner.

Mr. Fazlul Haque, Adv.
Ms. Manisha Nath, Adv.
...for KMC.

Mr. Anand Farmania, Adv.
Mr. Manoj Kr. Mondal, Adv.
...for the State.

The Court:- The premises of the petitioner is 78/3/B, Monshatala Lane, Kolkata-700023. A notice issued under Sections 544 & 546 of the Kolkata Municipal Corporation Act, 1980 has been pasted on the wall of the premises of the petitioner at 78/3/B, Monshatala Lane, Kolkata-700023. The said notice has been issued in respect of the premises no. 78/3/A, Monshatala Lane, Kolkata-700023.

The petitioner apprehends that relying upon the notice in respect of 78/3/A demolition may be conducted in premises no. 78/3/B.

Learned advocate for the Corporation submits, upon instruction that, the notice was wrongly pasted on the wall of the petitioner. The said notice is not meant for the petitioner and will not be implemented in respect of any structure standing at 78/3/B.

In view of the aforesaid submission, the Corporation may take steps for demolition in the premises no. 78/3/A but shall not take any steps in respect of premises no. 78/3/B as there is no proceeding or order of demolition in premises no. 78/3/B.

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.)

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