

Dd 15 08.02.2024
Court No. 1

WPA(P) 6 of 2024

**Nazia Elahi Khan
Vs.
State of West Bengal & Ors.**

Mr. Ranojoy Chatterjee,
Mr. Tamal Singha Roy, Advocates
... .. For the Petitioner

Mr. Akok Kr. Ghosh,
Mr. Gopal Ch. Das, Advocates
... .. For the KMC

Mr. Samrat Sen, AAAG
Mr. Saikat Chatterjee
... ..For the State (respondent nos. 6, 7, 8 and 9)

1. Writ petitioner, by way of Public Interest Litigation, alleges that there is large scale of illegal construction in various areas within the jurisdiction of the Kolkata Municipal Corporation.

2. We find that the petitioner has not submitted any personal representation and all the representations and applications under the Right to Information Act are through the solicitor firm. As rightly pointed out by the learned standing counsel for the Kolkata Municipal Corporation, such a swiping prayer cannot be granted as prayed for by the writ petitioner and as and when an appropriate representation is submitted to the concerned Executive Engineer within whose jurisdiction the alleged illegal construction is being made, the

concerned Executive Engineer will take appropriate action in accordance with law.

3. Accordingly, we dispose of the writ petition giving liberty to the writ petitioner to submit specific representation to the concerned Executive Engineer of the building department of the Kolkata Municipal Corporation clearly mentioning the property where illegal construction is being carried out and if such specific representation is submitted to the Executive Engineer concerned, the same shall be taken into consideration and inquiry be conducted after issuing notices to the concerned persons and action be initiated in accordance with law.

(T.S. Sivagnanam)
Chief Justice

(Supratim Bhattacharya, J.)