

ML. 134
30.04.2024
Court No. 24
AGM

**In The High Court At Calcutta
Constitutional Writ Jurisdiction
Appellate Side**

W.P.A 1064 of 2024

**Bharati Jana
-versus
The State of West Bengal & Ors.**

**Mr. Ayan Kumar Mitra.
Mr. Dilip Kumar Mondal.
... for the Petitioner.**

**Ms. Piyali Sengupta.
Ms. Paroma Sengupta.
... for the KMC.**

**Mr. Sibaprasad Ghose.
... for the private respondent.**

The petitioner complains of illegal and unauthorised construction at premises no. 34C, Gopal Chandra Chatterjee Road, Ward No. 1, Borough-I.

Complaint lodged against such unauthorised construction is alleged to be kept pending.

Learned advocate representing the private respondents denies the allegation of unauthorised construction. It has been submitted that construction has been made in accordance with the plan sanctioned.

Learned advocate representing the Corporation relies upon the instruction forwarded by the engineers signed on 27th February, 2024. It appears there from that unauthorised construction was detected. The case along with demolition sketch plan and infringement

statement has been placed before the higher authority for taking further steps in the matter.

Let a copy of the instruction be circulated amongst all the parties.

As it appears that the case file is pending before the concerned authority for taking consequential steps under Section 400 of the KMC Act, 1980 accordingly, the Executive Engineer is directed to pursue the matter so that the proceeding may conclude at the earliest but positively within a period of three months from the date communication of a copy of this order.

The writ petition stands disposed of.

Urgent certified photocopy of this order, if applied for, be supplied to the parties expeditiously on compliance of usual legal formalities.

(Amrita Sinha, J.)