

26.11.2024
Sl.No.39
Ct. No.15
S.A.

WPA 1473 of 2024

Jatanlal Pukhraj & Co. & Anr.

-vs-

State of West Bengal & Ors.

Mr. Saptarshi Banerjee

Ms. Anisha Kochar

...for the petitioners

Ms. Sabnam De

...for KMC

Ms. Rama Halder

Ms. Tanuja Basak

...for the State

Mr. Saptarshi Banerjee, learned advocate appearing for the petitioners submits that though a demolition order was passed in respect of a construction at premises no.105, Old China Bazar Street, Kolkata-700001 on January 10, 2020 by Kolkata Municipal Corporation, the order has not yet been executed. He submits that the unauthorised construction has exposed the building under occupation of the petitioner to a potential fire hazard since the access to the petitioner's premises has been obstructed by the alleged unauthorised construction.

The Corporation files a report. The report suggests that an appeal has been preferred before the Building Tribunal of the Corporation (B.T. Appeal No.06 of 2020) against the demolition order.

In the light of the aforesaid, I dispose of this writ petition with a direction upon the Municipality Building Tribunal to dispose of B.T. Appeal No.06 of

2020 within a period of three months from date without granting any unnecessary adjournment to the parties. I also grant liberty upon the petitioners to make application before the Tribunal seeking appropriate interim order, if necessary.

Needless to mention that the Corporation shall take steps in terms of the order passed by the Tribunal.

Accordingly, **WPA 1473 of 2024** is disposed of.

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

(Kausik Chanda, J.)