

19.06.2024
Sl. No.17
Suman
Ct.No.15

WPA 1591 of 2024

Shri Siddhant Arya
Vs.
The State of West Bengal and Ors.

Mr. Indrajeet Dasgupta
Ms. Puspita Bhowmick
..for the petitioner

Ms. Piyali Sengupta
Ms. Manisha Nath
..for KMC

Mr. K. M. Hossain
Mr. Debangshu Dinda
..for the State

The petitioner claims himself to be one of the tenants in respect of a premises at 2 Robinson Street, Kolkata-700017.

It is the grievance of the petitioner that despite a subsisting injunction order from a competent civil court, he has been evicted from the premises in question. The petitioner further alleges that without considering his objection, Kolkata Municipal Corporation has sanctioned a plan for raising a construction on the relevant premises at the behest of respondent nos. 5, 6, 7, 8 and 9.

Learned advocate appearing on behalf of the Kolkata Municipal Corporation, on the other hand,

submits that following an objection by the petitioner against the sanctioned plan, the relevant Executive Engineer (Building) called for a hearing.

The petitioner also participated in the hearing. After hearing the concerned parties, the Executive Engineer (Building) was of the opinion that there was no “evidence” to debar the owner from getting a sanctioned plan from Kolkata Municipal Corporation, if other conditions for getting sanction were fulfilled.

The petitioner submits that he is not aware of such order.

In view of the aforesaid facts, I dispose of this writ petition granting liberty upon the petitioner to challenge the said order dated February 6, 2023 in accordance with law.

Let the instruction filed by the learned advocate appearing for the Corporation be kept with the records.

Accordingly, **WPA 1591 of 2024** is disposed of.

Urgent photostat certified copy of this order, if applied for, be supplied to the learned advocates for the parties on usual undertakings.

(Kausik Chanda, J.)