

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

W.P.A 1984 of 2024

**Pranab Bhattacharya
-versus
The Kolkata Municipal Corporation & Ors.**

**Mr. Debjit Mukherjee,
Ms. Susmita Chatterjee.
...For the Petitioner.**

**Mr. Manoj Kumar Mondal.
...For the State.**

**Mr. Gopal Chandra Das,
Ms. Poushali Banerjee.
...For KMC.**

A report has been filed by the Director General (Building) signed on 16th April, 2024 which mentions that the premises no. 4F, Shahnagar Road, Ward No. 88, Borough-VIII of the Kolkata Municipal Corporation was inspected in presence of both the parties and it was found that the cantilever has been demolished in terms of the order passed by the Special Officer (Building) dated 12th June, 2023.

It appears that the petitioner is aggrieved by the order passed by the Special Officer (Building) permitting retention of certain construction in favour of the private respondent.

The order of retention being an appealable one it will be open for the aggrieved party to approach the statutory appellate forum for relief.

It is made clear that this Court has not entered into the merits of the impugned order of retention and it will be open for the petitioner to agitate all points before the statutory appellate forum which shall decide the same without being influenced by any observation made hereinabove.

No further order is required to be passed in the instant writ petition.

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.)