

29.01.2024.
Court No.13
Item No. 18
ap

W.P.A. No. 2055 of 2024
M/s. Ganesh Commodeal & Developers Pvt. Ltd.
Versus
The Kolkata Municipal Corporation & Ors.

Mr. Srijib Chakraborty,
Mr. Sumitava Chakraborty,
Ms. Rupsa Sreemani,
Mr. Rudranil Das,
Mr. D. Kar.

...For the petitioner.

Mr. Subhrangsu Panda,
Mrs. Ina Bhattacharyya.

...For the KMC.

1. Affidavit-of-competency filed in Court today be taken on record.
2. The petitioner is aggrieved that despite applying for a completion certificate, the Kolkata Municipal Corporation has not issued the same and as a consequence whereof, the water connection to the petitioner's building is not being allowed.
3. Counsel for the Kolkata Municipal Corporation has admitted before this Court that the unauthorized construction is on an adjacent plot and not in construction on the petitioner's plot of land.
4. In the above circumstances, this Court notes that non-issuance of completion certificate of the petitioner in respect of Assessee No. 110180300417 is ex facie illegal.
5. In those circumstances, without prejudice to the rights of Kolkata Municipal Corporation to take steps

in respect of any unauthorized construction in the adjacent premises being 103, Beadon Street, Kolkata – 700 086, Kolkata Municipal Corporation is directed to issue completion certificate in respect of the petitioner's Assessee No. 110180300417 within seven days from the date of receipt of a copy of this order.

6. Any error in the systems in recording the assessee number of the petitioner by the Kolkata Municipal Corporation shall be rectified forthwith.

7. With the aforesaid directions, the instant writ petition shall stand disposed of.

8. There will be no order as to costs.

9. All parties are directed to act on a server copy of this order duly downloaded from the official website of this Court.

(Rajasekhar Mantha, J.)