

WPA 3153 of 2024
Priyatosh Das
Vs.
The State of West Bengal & Ors.

Mr. Subrata Banerjee,
Mr. Kallol Bose

...for the Petitioner

Ms. Tanushree Das Gupta,
Ms. Dipanwita Ganguly

...for KMC

Mr. Pritam Choudhury

...for the State

Mr. Pradyumna Sina,
Mr. Sannidhya Datta,
Ms. Anjali Ray

...for Respondent No. 7

The petitioner and respondent no. 7 are co-owners in respect of the ground floor at premises no. 126B, Narkeldanga Main Road, P.S.-Phoolbagan, Kolkata-700054. The petitioner alleges unauthorised construction at the behest of respondent no. 7 on the ground floor of the said premises.

It has been submitted by the petitioner that though, he has made several representations and a hearing was also fixed, the Corporation ultimately, did not take any decision for demolition of unauthorised construction.

Respondent no. 7, on the other hand, submits that on a mutual understanding, the petitioner converted a portion of the ground floor into his chamber and respondent no. 7 raised a temporary security guard's room.

On behalf of the Corporation, it has been submitted

that upon conclusion of hearing of the concerned parties, the Special Officer (Building) has passed an order regarding the constructions in question. However, the order of the Special Officer (Building) is awaiting the approval of Mayor-in-Council.

In the aforesaid facts, I do not see any justification to keep this writ petition pending. This writ petition is disposed of with a direction upon the Mayor-in-Council to take a decision with regard to the relevant constructions within a period of two months from the date of communication of this order.

Needless to mention that the Corporation shall communicate the order to the petitioner as well as respondent no. 7 within a period of seven days thereafter.

WPA 3153 of 2024 is disposed of.

Urgent certified *website* copies of this order, if applied for, be made available to the parties upon compliance with the requisite formalities.

(Kausik Chanda, J.)