

Item No.180-ML

In the High Court At Calcutta  
Constitutional Writ Jurisdiction  
Appellate Side

01.05.2024  
Ct-24

WPA 3524 of 2024  
Akter Hossain

v.

The Kolkata Municipal Corporation & Ors.

Mr. Abdul Hadi  
... For the petitioner.

Mr. Anand Farmania  
Mr. Anis Datta Sarma  
Mr. Pujan Kumar Maity  
Ms. Adrija Bairagi  
... for the respondent no. 5.

Mr. Sima Chakraborty  
... for KMC.

Mr. Jayanta Samanta  
Mr. Suddhadev Adak  
... for the State.

The petitioner complains of illegal and unauthorized construction at the behest of the respondent no. 5.

Specific submission is that two additional floors have been constructed over and above the sanctioned G+9 storied building.

Learned advocate representing the Corporation is not ready with instruction.

Learned advocate representing the private respondent denies the allegation of the petitioner. It has been submitted that the construction has been made in accordance with the plan sanctioned.

On a perusal of the objection filed before the respondent no. 5 with a copy to the Corporation it appears that the same was not addressed to the Executive Engineer of the concerned borough.

The details of the unauthorized construction allegedly made by the private respondent may be intimated to the Executive Engineer of the concerned borough by filing a comprehensive representation.

If such a representation is made, the same shall be taken up for consideration by the Executive Engineer in accordance with law and be disposed of at the earliest by passing a reasoned order.

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.

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**(Amrita Sinha, J.)**