

7th May, 2026
Item no.D/L 54
Court No. 18
Pradip, A.R.(Ct.)

In the High Court at Calcutta
Constitutional Writ Jurisdiction
Appellate Side

Case No. **WPA 5701 of 2024**
(CAN 1 of 2026)

In the matter of:
Ram Prasad Mondal *Petitioner*
VS.
Kolkata Municipal Corporation & Ors. *Respondents*

For the Applicant:
Mr. R.N. Chakraborty
Mr. R. Singh
Ms. Amrita De *Advocates*

For the KMC:
Mr. Gopal Chandra Das
Ms. Ananya Das *Advocates*

In Re:- CAN 1 of 2026

1. Affidavit of service filed in Court today is taken on record.
2. Unserved copy of the application is returned to the learned advocate for the petitioner by retaining the unserved envelope on record.
3. An application has been filed at the instance of the private respondent in the writ petition seeking clarification/modification/variation of the order passed by the Court on 1st March, 2024.
4. It appears that on 1st March, 2024 the Court was pleased not to interfere in the writ petition. It was specifically mentioned that the apprehension of the writ petitioner that the authorities may take

steps to demolish the premises no. 18B/1 relying upon an order of demolition passed in respect of premises no. 18B appears to be completely misplaced.

5. The applicant claims to be the owner of premises no. 18B.
6. Reliance has been placed on an order passed by the Special Officer (Building) on 22nd July, 2022 where certain directions have been passed in respect of premises no. 18B.
7. The Court is of the opinion that the writ petition was filed by the owner of premises no. 18B/1. 18B was never the subject matter of dispute in the writ petition which stood disposed of.
8. In the event the applicant has any grievance with regard to the steps taken by the authority in respect of premises no. 18B, then the same is a separate and fresh cause of action which cannot be dealt with in the application that has been filed in a disposed of writ petition.
9. The application being CAN 1 of 2026 filed by the private respondent in the writ petition appears to be completely misconceived. The same stands dismissed.
10. Parties to act on the basis of the server copy of this order duly downloaded from the official *website* of this Court.
11. Urgent photostat certified copy of this order, if applied for, be supplied to the parties upon compliance of all requisite formalities.

(Amrita Sinha, J.)