

**WPA 6165 of 2024
Anuradha Mukherjee
Vs.**

Kolkata Municipal Corporation & Ors.

Mr. Neil Basu,
Mr. Dibyagan Banerjee,
Mr. Abhijit Roy Chowdhury,
Mr. Noorjjahan Khatun

...for the Petitioner

Mr. Srijan Nayak,
Ms. Rituparna Maitra

...for KMC

Mr. Kapil Guha

...for the State

Respondent nos. 8 to 10 are not represented.

It is the case of the petitioner that she is the owner of the second floor of the premises at 537, Jodhpur Park Road, Kolkata – 700 068.

It is the grievance of the petitioner that respondent nos.8 to 10 without any permission from the Kolkata Municipal Corporation have converted user of the ground and the first floor of the said premises from residential to commercial for running a restaurant namely, “Calcutta-64”. The petitioner alleges that in running the restaurant, respondent nos.8 to 10 have also encroached upon the footpath owned by Kolkata Municipal Corporation.

Learned advocate appearing for Kolkata Municipal Corporation submits that a stop work notice was issued by the Corporation. It has also been submitted by the Corporation that the appropriate authority of the Corporation shall review the matter and shall take

appropriate steps.

In the aforesaid facts, I direct the Executive Engineer (Building), Borough -X, respondent no. 5 to consider the representation dated January 8, 2024, appearing at page 67 of the writ petition within one month from the date of communication of this order. In arriving at its decision, the Executive Engineer (Building), Borough - X shall hear the petitioner as well as respondent nos. 8 to 10.

The entire exercise shall be carried out by the Executive Engineer, Borough - X within one month from the date of communication of this order.

Accordingly, **WPA 6165 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.)