

02.09.2024
Sl. No. 29
AKG
Ct. 15

WPA 7601 of 2024
Abu Sayeed & Anr.
-vs-
The Kolkata Municipal Corporation & Ors.

Mr. Sakabdo Roy

...for the Petitioner

Mr. Srijan Nayak,
Mr. Arijit Dey

...for KMC

Let the report filed by the Corporation be kept with the records.

The Heritage Conservation Committee, Kolkata Municipal Corporation in its meeting dated April 17, 2000, recommended inclusion of 882 buildings, including the premises located at 7A & 7B, Pratap Chatterjee Lane, Kolkata – 700 012 under Ward No. 40, Kolkata Municipal Corporation as heritage building under the provision of Section 425B of Kolkata Municipal Corporation Act, 1980. The Mayor-in-Council of the Corporation on or about on May 5, 2000, accepted the recommendation of Heritage Conservation Committee and resolved that the final approved list of heritage building be placed before the Corporation. On September 21, 2000, the Kolkata Municipal Corporation approved the list of 828 buildings as recommended by the Heritage Conservation Committee on April 17, 2000.

The Kolkata Municipal Corporation admits that while deciding on the classification/gradation of the heritage buildings, a format was created with different columns for describing certain aspects of the heritage buildings classified under Grade-I, Grade-IIA, Grade-IIB and Grade -III. The relevant premises, however, has not yet been classified under any of such categories and the classification has been kept pending.

Learned advocate appearing for the petitioner submits that the Corporation should take a final decision with regard to the gradation of the relevant heritage building within a reasonable time period.

I find substance in the grievance of the petitioner. The Corporation ought not to have delayed the gradation of the building for an indefinite time period.

Accordingly, I dispose of this writ petition with a direction upon the Kolkata Municipal Corporation to take a decision on the gradation of the relevant building as a heritage building within three months from the date of communication of this order.

If the petitioners are aggrieved by such decision, they will be at liberty to challenge the same in accordance with law.

WPA 7601 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.)