

WPA 10246 of 2024**Anil Kumar Chiripal****Vs.****The Municipal Commissioner, Kolkata Municipal Corporation & Ors.**

Ms. Farnaz Nasim

...for the Petitioner

Ms. Jeenia Rudra

...for Respondent Nos. 6 & 7.

Mr. Srijan Nayak,

Ms. Sima Chakraborty

...for KMC

Mr. Dipanjan Datta,

Mr. Prantik Garai

...for the State

The petitioner claims to be the owner of two flats on the fourth floor and one flat of the third floor at the premises no. P-346, C.I.T. Road, 4th Floor, Scheme No. VIM, Police Station – Phool Bagan, Kolkata – 700 054.

It is the grievance of the petitioner that respondent nos. 6 and 7, who are the owners of the two flats on the first floor, have converted the residential flats for their commercial use without any permission from the Kolkata Municipal Corporation. The petitioner also alleges that the two flats on the first floor have been combined into one flat by demolishing the partition wall.

For such structural change also, no permission from Kolkata Municipal Corporation was obtained.

On behalf of the Corporation, it has been submitted that after filing of the writ petition, an inspection at the said premises was carried out and it appeared that the first floor of the building premises was being used for

commercial purpose.

Accordingly, a show-cause notice under Section 416 (5) of Kolkata Municipal Corporation Act, 1980 was issued to respondent nos. 6 & 7.

In view of the aforesaid facts, I find no justification to keep this writ petition pending. Accordingly, this writ petition is disposed of with a direction upon the Kolkata Municipal Corporation to conclude the proceedings initiated under Section 416 (5) of the Kolkata Municipal Corporation Act, 1980 within a period of two months from the date of communication of this order.

Needless to mention that the Corporation shall hear all concerned before arriving at its decision.

WPA 10246 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.)