

WPA 12279 of 2024
Sadanand Shaw
Vs.
Kolkata Municipal Corporation & Ors.

Mr. Upendra Roy,
Mr. Anit Kr. Das,
Ms. Rupsha Chakraborty,
Mr. Kanchan Roy

...for the Petitioner

Mr. Alak Kr. Ghosh,
Ms. Tanushree Dasgupta

...for KMC

The petitioner alleges unauthorized construction at premises no. B/11/H/5, Nayan Krishna Saha Lane, Kolkata – 700 003, under Ward No. 7, Borough I of the Kolkata Municipal Corporation.

Mr. Upendra Roy, learned advocate appearing for the petitioner, submits that in response to an application under the Right to Information Act, 2005, the Kolkata Municipal Corporation specifically informed that no sanctioned building plan exists for the said premises.

The Corporation has submitted a report, the relevant portion of which is quoted below:

“Upon the direction of the Hon’ble High Court, an inspection was conducted at the alleged location. During the inspection, the land in question at premises no. B/11/H/5, Nayan Krishna Saha Lane, was not found. A slum development project consisting of multi-storied framed structures is ongoing, providing permanent shelter for impoverished slum residents over a large area,

including the entirety of Nayan Krishna Saha Lane, under the BANGLAR BARI scheme. All these buildings are being constructed by KMC as ULB, funded by UD&MA and SUDA, Government of West Bengal.

It is pertinent to mention that any construction where KMC, PWD, etc., are the executing agencies does not require a sanctioned building plan from the Building Department. Regarding this, a statutory order, Item No. MOA-25.7 dated 24/04/2023, is attached herewith as a reference.”

A copy of the report has been provided to Mr. Upendra Roy, learned advocate for the petitioner, who seeks time to file an objection to the report.

In light of the report submitted by the Corporation, I am of the view that this writ petition is misconceived.

Accordingly, **WPA 12279 of 2024** is dismissed.

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.)