

S/L 44
08.10.2024
Court. No. 551
Sourav

WPA 17794 of 2024

Nasre Alam
Vs.
The Kolkata Municipal Corporation & Ors.

Mr. Dinendranath Chatterjee
Mr. Partha Sengupta
Mr. Biswaroop Sengupta

...for the petitioner.

Ms. Sabnam De

...for K.M.C.

1. The affidavit-of-service as filed in Court today is taken on record.
2. By filing the instant writ petition, the writ petitioner alleges illegal construction at premises no. 45/H/20, Dr. Suresh Chandra Banerjee Road (Beliaghata Main Road), Post Office and Police Station Beliaghata under Ward No. 34, Borough – III of the Kolkata Municipal Corporation.
3. Ms. Sabnam De, learned advocate who usually appears on behalf of the Kolkata Municipal Corporation is present.
4. It is the further grievance of the writ petitioner that despite issuance of letter dated 18.05.2024 by the learned advocate for the writ petitioner, the respondent/KMC has not taken any step to stop the alleged construction.
5. In view of such situation, this Court while disposing the instant writ petition directs the respondent no. 2 to consider the letter dated 18.05.2024 as written by Mr.

Dwaipayan Basu Mallick, learned advocate for the writ petitioner as a representation of the writ petitioner and, therefore, after causing an inspection at the aforementioned premises with prior notice to the writ petitioner and the private respondent shall fix a date of hearing and, thereafter, after giving due opportunity of hearing both to the writ petitioner and the private respondent shall pass a reasoned order in accordance with law and the said reasoned order is to be communicated both to the writ petitioner as well as to the private respondent by Speed Post and/or by Email, if the details of Email are provided to him at the time of hearing.

6. It is made clear that the entire exercise as indicated above is to be completed by the respondent no. 2, i.e., the Municipal Commissioner, Kolkata Municipal Corporation positively by the last day of December, 2024 peremptorily and mandatorily.
7. With the aforementioned observations, this writ petition being **WPA 17794 of 2024** is disposed of.
8. The respondent no. 2/ Municipal Commissioner, Kolkata Municipal Corporation is hereby directed to act on the server copy of this order.
9. Urgent photostat certified copies of this order, if applied for, be supplied to the parties upon compliance with all the necessary formalities.

(Partha Sarathi Sen, J.)