

01. 08. 2024

BP
Sl. 120
Court No. 15

WPA 18995 of 2024

Shyamsundar Mishra & Ors.
Vs.
The Kolkata Municipal Corporation
& Ors.

Mr. Kamalesh Bhattacharya
Mr. M.A. Samad
Ms. Payel Ghosh
Mr. Maroof Zahedi
..for the petitioners

Mr. Biswajit Mukherjee
Ms. Sima Chakraborty
..for K.M.C.

It is not in dispute that a demolition order was passed regarding the unauthorised construction by the Corporation under Section 408 of the Kolkata Municipal Corporation Act, 1980 on September 29, 2023.

It is also not in dispute that the petitioners unsuccessfully challenged the said demolition order before a Single Bench of this Court and the appeal preferred against the order of the Single Bench was also dismissed by a Division Bench of this Court on June 25, 2024.

Mr. Kamalesh Bhattacharya, learned advocate appearing for the petitioners further submits that the petitioners have made a representation with a fresh plan to regularise the unauthorised construction.

I am of the view that any order for regularization of the building will amount to interference with the order passed by a Division Bench of this Court. Accordingly, I am not inclined to entertain this writ petition.

WPA 18995 of 2024 is disposed of.

The petitioners are at liberty to approach the Division Bench for clarification, modification of the order passed by the Division Bench on June 25, 2024.

(Kausik Chanda, J.)

