

22
21.05.2024
d.p.

**In The High Court At Calcutta
Constitution Writ Jurisdiction
Appellate Side**

W.P.A. 20538 of 2023

**Dr. Manas Kumar Banerjee
-versus
The State of West Bengal & Ors.**

**Dr. Rudra Prasad Matilal,
Mr. Shubham Banerjee.
...For the Petitioner.**

**Md. Salahuddin,
Md. Ahsanuzzaman,
Md. Raziuddin.
...For the Board of Waqf.**

**Mr. Fazlul Haque,
Mr. Dwijadas Chakraborty.
...For KMC.**

**Md. Mohiuddin.
...For the Respondent No.8.**

Perused the report filed by the engineers of the Corporation signed on 18th May, 2024. It appears that a spot inspection was conducted on 17th May, 2024 and it was found that an existing three storied building and on the other side an existing single storied building stands which is fully occupied.

As per the available records and the computer database of the Corporation, no building plan was found to be sanctioned for the abovementioned premises.

Learned advocate appearing for the private respondent submits, upon instructions, that the construction in question is a very old one.

The authorities of the Corporation have come to a considered opinion that the construction is an unauthorized one and passed order of demolition in the year 2019. Appeal preferred against the said order of demolition also stood dismissed.

The executive engineer is, accordingly, directed to implement the order of demolition.

Steps shall be taken in the matter at the earliest but positively within a period of twelve weeks from the date of communication of the order.

The writ petition stands disposed of.

Urgent certified photocopy of this order, if applied for, be supplied to the parties expeditiously on compliance of usual legal formalities.

(Amrita Sinha, J.)