

22-04-2024
Item No.69-ML
S.H.
AR(C)

IN THE HIGH COURT AT CALCUTTA
Constitutional Writ Jurisdiction
Appellate Side

WPA No.21290 of 2023
Soukat Ali Molla

-vs-

The Kolkata Municipal Corporation & Ors.

Mr. Bidhayak Lahiri
Md. Kalam
Ms. Bhaswati Lahiri
...for the petitioner.

Ms. Piyali Sengupta
Mr. Sundar Gopal Bhattacharyya
...for KMC.

The petitioner complains of illegal and unauthorized construction at premises no. W-177/4 & W-177/5, S.A. Faruque Road, Ward No. 139, Borough-XV of Kolkata Municipal Corporation. Objection lodged against such unauthorized construction is pending consideration.

None represents the private respondents.

Learned advocate representing the Corporation relies upon the instruction forwarded by the engineers of the Corporation signed on September 11, 2023 which mentions that during inspection two storied building has been found to be constructed without obtaining any sanctioned plan from the Corporation.

A stop work notice was issued in June 2023 and September 2023 with intimation to the Rajabagan Police Station.

It appears from the instruction forwarded by the Corporation that after issuance of stop work notice no further steps have been taken to deal with the

unauthorized construction. The subject construction is lying intact.

The Executive Engineer of the concerned Borough is directed to take prompt steps to deal with the unauthorized construction in accordance with law at the earliest but positively within a period of twelve weeks from the date of communication of this order.

The writ petition stands disposed of.

Instruction forwarded by the engineers of the Corporation signed on September 11, 2023 be taken on record.

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

[Amrita Sinha, J]

