

12
03-10-2024
AKG
Ct. 15

WPA 22027 of 2024
Satyajit Sanyal & Ors.
Vs.
The State of West Bengal & Ors.

Mr. Joy Chakraborty
Ms. Ipsita Ghosh
...for the Petitioner

Mr. Sandipan Banerjee,
Mr. Atish Biswas
...for KMC

Mr. Sumitava Chakraborty
...for Respondent No. 5

Mr. Arindam Chattopadhyay,
Mr. Soumik Dey
...for the State

Mr. Raghunath Chakraborty,
Mr. Supratick Syamal,
Ms. Somosreedebi Dutta,
Ms. Nisha Das
...for Respondent Nos. 6 to 8

This writ petition has been filed at the behest of one of the landlords of the premises at premises no. 33, College Row, Ward No. 40, Borough – V, under the Kolkata Municipal Corporation for implementation of a notice dated June 26, 2024, issued under Section 412 (A) of the Kolkata Municipal Corporation Act, 1980.

Admittedly, the petitioners have engaged respondent no.5 to reconstruct the building. A plan has already been submitted by the Kolkata Municipal Corporation for the reconstruction.

The occupiers of the said building were directed

to vacate the premises and an order of demolition was passed on June 26, 2024.

The occupants have already vacated the premises with the exception of respondent nos. 6 to 8.

The disputes between respondent nos. 6 to 8 and the developer, however, have been settled out of Court.

In the proposed plan, the allocation of respondent nos. 6 to 8 has been shown at T-7 on the first floor. Respondent nos. 6 to 8 have accepted this allocation before this Court.

It has been submitted before this Court that respondent nos. 6 to 8 shall shift to a suitable accommodation in the vicinity of the relevant building within a period of one month from date. Till they are given possession in the newly constructed building, respondent no. 5 shall bear the expenses for their accommodation. Immediately after respondent nos. 6 to 8 are shifted, they will give their "no objection" before the Corporation for the sanctioned plan and construction of the building.

Let the report filed by the Corporation be kept with the records.

Let a copy of the proposed plan be retained with

the records.

With the aforesaid, **WPA 22027 of 2024** is disposed of.

Urgent photostat certified copy of this order, if applied for, be supplied to the learned advocates for the parties on usual undertakings.

(Kausik Chanda, J.)