

21 29.10.2024
Sc Ct. no.3
Naba

WPA 26112 OF 2024

Imtiyaz Khan
Vs.

The State of West Bengal & Ors.

Mr. Anupam Kr. Bhattacharyya,
Mr. Dilip Kr. Mandal,
Mr. Nikhil Kr. Gupta.

.... For the Petitioner

Ms. Sabnam De Bardhan,
Mr. Diptendu Banerjee,
Mr. Samrat Paul.

....For the State

Mr. Srijan Nayak,
Mr. Atis Kumar Biswas.

....For the KMC

Mr. Bratin Kumar Dey,
Ms. Anjana Banerjee,
Mr. Joydeep Das.

....For the Respondent Nos.10 & 13

Affidavit-of-service, filed in Court today, is taken on record.

The present writ petition has been preferred praying for an order of injunction restraining the private respondents to stop the illegal, unauthorized constructional work done in the premises.

It is further submitted that in spite of there being violation, the Kolkata Municipal Corporation is not taking any action.

The Kolkata Municipal Corporation is being represented and files a report.

The State also has filed a report.

As seen from the report, submitted by the Kolkata Municipal Corporation, it appears that the “Stop Work Notice” under Section 401 of the Kolkata Municipal Act has been issued, local police station has been intimated, date of demolition was also fixed and a considerable portion of the unauthorized construction was demolished by the department and further demolition has been fixed on 12th November, 2024.

As seen from the report of the State, it appears that demolition work has been completed and strict vigil is being maintained as the next date of demolition is 12th November, 2024. As such, the present writ petition appears to be premature and is thus dismissed.

There will be no order as to costs.

[Shampa Dutt (Paul), J.]