

WPA 27190 of 2024
Puspa Paul
Vs.
The State of West Bengal & Ors.

Mr. Omar Faruk Gazi,
Mr. Binay Shaw

...for the Petitioner

Mr. Alak Kumar Ghosh,
Mr. Gopal Chandra Das

...for KMC

Ms. Munmun Ganguly,
Mr. Sayan Ganguly

...for the State

The petitioner has failed to produce a sanctioned plan to justify the impugned construction. In this case, the Corporation has invoked Section 400 (8) of the Kolkata Municipal Corporation Act, 1980.

The learned advocate for the Corporation submits that the entire building lacks a sanctioned plan, which led the Corporation to invoke Section 400 (8) of the Kolkata Municipal Corporation Act, 1980.

On the other hand, the learned advocate for the petitioner submits that the petitioner is the widow of the owner of the premises and was not informed by the Corporation when the demolition order was passed.

I have already noted that the demolition proceedings were initiated under Section 400 (8) of the Kolkata Municipal Corporation Act, 1980. Therefore, the question of issuing a notice does not arise in this case.

It appears that the building in question is a G+4

storied structure, constructed by a promoter, without any sanctioned plan. In light of these facts, I am not inclined to interfere with the steps taken by the Corporation.

Accordingly, **WPA 27190 of 2024** is dismissed.

Interim order, if any, stands vacated.

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.)