

ML 104
29.04.2024
d.p.

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

W.P.A 27721 of 2023

**Shadab Mustejabuddin
-versus
The Kolkata Municipal Corporation & Ors.**

**Mr. Bidhayak Lahiri,
Mr. Md. Nauroz Rahber,
Ms. Bhaswati Lahhri.
...For the Petitioner.**

**Mr. Anand Farmania,
Mr. Supriya Majumder.
...For the State.**

**Mr. Gurudas Mitra,
Mr. Atish Kumar Biswas.
...For KMC.**

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

The petitioner complains of illegal and unauthorized construction at the behest of the private respondents at H-54, Paharpur Road, Ward No. 135, Borough-XV of the Kolkata Municipal Corporation.

In response to the complaint lodged by the petitioner, a departmental inspection was conducted and it was found that the persons responsible constructed three storied building in deviation of the sanctioned plan.

A stop construction notice under Section 401 of the Kolkata Municipal Corporation Act, 1980 has been issued with intimation to the local police station. The file is under process under Section 400(1) of the Kolkata Municipal Corporation Act, 1980.

Report filed by the engineers of the Kolkata Municipal Corporation dated 13th March, 2024 be retained with the records.

The Executive Engineer is directed to conclude the proceeding under Section 400(1) of the said Act in accordance with law, at the earliest, but positively within a period of sixteen weeks from the date of communication of this 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.)