

24.06.2024
Sl.No.2
Ct. No.15
S.A.

**WPA 27680 of 2023
with
CAN 1 of 2024
CAN 2 of 2024
CAN 3 of 2024**

**Mehjabeen Ghuznavi
-vs-
The Kolkata Municipal Corporation & Ors.**

Mr. Francis Samson Correa
Mr. Sunny Nandy
Ms. Sneha Singh
Ms. Puja Kumari Roy
Mr. Tamal Singh

...for the petitioner

Mr. Indrajit Bhatthacharjee
Ms. M. Roy Choudhury
...for the applicant in CAN 3 of 2024

Ms. Mitali Mukherjee
Ms. Kakali Naskar

...for the State

Mr. Tanmay Chowdhury
...for respondent nos.1 to 8

Mr. Debjit Mukherjee
Ms. Susmita Chatterjee
...for Kolkata Municipal Corporation

A notice was issued under Section 401 of the Kolkata Municipal Corporation Act, 1980 on April 25, 2016, in respect of a premises at 25B, Ibrahim Road, Ward-78, Borough-IX under the jurisdiction of Kolkata Municipal Corporation.

A proceeding was also initiated by the Corporation under Section 400(8) of the said Act and a partial demolition took place on May 30, 2018 and June 15, 2023.

The petitioner, by filing this writ petition, seeks a direction upon the Kolkata Municipal Corporation for completion of the demolition work.

It has been submitted by the Corporation that it could not proceed with the demolition work since the building is under occupation of some persons.

By filing CAN 2 of 2024 and CAN 3 of 2024, some of the occupants of the said building have given an undertaking before this court to vacate the premises within two months from date.

In view of the undertaking furnished by the applicants, I am inclined to stay the hands of the Corporation for proceeding with the demolition of the unauthorised building for two months from date.

Needless to mention that within said two months, the applicants shall vacate the premises with due intimation to the Kolkata Municipal Corporation and local police station. The Corporation will be at liberty to proceed with the demolition work after the expiry of two months from date and the local police station shall render the necessary assistance to the Corporation.

Accordingly, **WPA 27680 of 2023** along with **CAN 1 of 2024, CAN 2 of 2024** and **CAN 3 of 2024** are disposed of.

(Kausik Chanda, J.)