

04.01.2024

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PG/KS

Ct. No.1

**W.P.A.(P) 616 of 2023**

**Saghir Ahmed**

**Versus**

**The State of West Bengal & Ors.**

Mr. Animesh Mukherjee

Md. Shakir

.....for the petitioner

Mr. Alok Kumar Ghosh

Mr. Gurudas Mitra

.....for the K.M.C.

Sk. Md. Galib

Mr. Abu Siddique Mallick

.....for the State

1. By this public interest litigation, the petitioner seeks stopping of the ongoing illegal and unauthorized construction of a multi-storied building in the premises in question.
2. The learned advocates appearing for the State as well as the Kolkata Municipal Corporation has submitted that action has already been initiated as regards the unauthorized construction and an F.I.R. has also been lodged.
3. In the light of the above, we direct the Kolkata Municipal Corporation to consider the representation made by the petitioner and take expeditious action, if there is any illegal construction or unauthorized construction, which has been made. If there was no sanction plan granted by the Corporation, then

forthwith the construction work shall be stopped and thereafter the matter shall be proceeded in accordance with law.

4. The learned advocate for the Kolkata Municipal Corporation submitted that already stop work notice has been issued but they do not have the machinery to physically stop the work and they have requested for police help.
5. In the light of the same, the concerned police station shall provide adequate police force for the officials of the Kolkata Municipal Corporation to enforce the stop work notice.
6. With the above observations and directions, the writ petitioner stands disposed of.
7. No Costs.
8. Urgent photostat certified copy of this order, if applied for, be furnished to the parties expeditiously upon compliance of all legal formalities.

**(T.S SIVAGNANAM)**  
**CHIEF JUSTICE**

**(SUPRATIM BHATTACHARYA, J.)**