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ORDER SHEET
WPO No.95 of 2024
IN THE HIGH COURT AT CALCUTTA
Constitutional Writ Jurisdiction
ORIGINAL SIDE

LIMTON PRIVATE LIMITED
VERSUS
THE KOLKATA MUNICIPAL CORPORATION & ORS.

BEFORE:
The Hon'ble JUSTICE AMRITA SINHA
Date: 27th February, 2024.

Appearance:
Mr. Ranajit Chatterjee, Adv.
Mr. Javed K. Sanwarwala, Adv.
Mr. Shariq A. Sanwarwala, Adv.
....for the Petitioner.

Mr. Alak Kumar Ghosh, Adv.
Ms. Piyali Sengupta, Adv.
....for KMC.

The Court:- The petitioner is aggrieved by the notice for demolition of the unauthorized advertisement issued by the Assistant Manager, Advertisement Department, Kolkata Municipal Corporation. The petitioner has already approached the said authority with a request to recall the said order. The petitioner relies upon the policy guidelines on display of advertisement within the Kolkata Municipal Corporation area and also upon the provision of the Kolkata Municipal Corporation Act, 1980 as amended in support of the submission that the impugned notice is liable to be recalled.

Learned advocate representing the Corporation submits that the petitioner ought to have obtained the permission for putting up the advertisement of the products which are being sold from the said shop room in terms of Section 202(1) of the Kolkata Municipal Corporation Act, 1980.

As it appears that the petitioner has already approached the authority with a prayer to recall the said notice within the time limit as specified in the impugned notice for demolishing the advertisement, accordingly, the writ

petition is disposed of by directing the respondent no.3 to consider the petitioner's prayer in accordance with the relevant laws and the guidelines after giving an opportunity of being heard to the petitioner or his authorized representative. A reasoned order shall be passed and communicated to the petitioner.

A decision shall be taken in the matter at the earliest, but positively within a period of four weeks from the date of communication of this order. Till the authority decides the representation filed by the petitioner, no coercive steps shall be taken against the petitioner.

Writ petition stands disposed of.

Urgent photostat certified copy of this order, if applied for, be supplied to the parties upon compliance of all legal formalities.

(AMRITA SINHA, J.)