

OD-8

ORDER SHEET
WPO No.161 of 2024
IN THE HIGH COURT AT CALCUTTA
Constitutional Writ Jurisdiction
ORIGINAL SIDE

ANAND KUMAR GUPTA & ORS.
VERSUS
KOLKATA MUNICIPAL CORPORATION & ORS.

BEFORE:
The Hon'ble JUSTICE AMRITA SINHA
Date: 15th April, 2024.

Appearance:
Mr. Siddhartha Lahiri, Adv.
Ms. Aritra Chakrabarty, Adv.
Mr. Aniket Chaudhury, Adv.
....for the Petitioners.

Mr. Swapan Kr. Debnath, Adv.
Ms. Tanushree Dasgupta, Adv.
Mr. Sudipta Bera, Adv.
...for KMC.

Mr. Shayak Chakraborty, Adv.
....for the Respondent No.6.

Mr. Biswaroop Bhattacharya, Adv.
Mr. Saunak Bhattacharya, Adv.
Mr. S. Mondal, Adv.
...for the Private Respondent.

The Court:- Perused the report filed by the Sub-Assistant Engineer(Civil), Assistant Engineer(Civil) and the Executive Engineer(Civil)/Building/Borough-VI dated 13.04.2024. It appears that spot inspection was conducted and unauthorized construction detected. The Corporation has already issued notice under Section 401 of the Kolkata Municipal Corporation Act, 1980 and proceeding under Section 400 of the Kolkata Municipal Corporation Act, 1980 has already been initiated.

The report mentions that measurement of the unauthorized construction, preparing a demolition sketch, infringement statement is going on and the same will be placed before the higher authority for further proceeding soon.

As it appears that the unauthorized construction has been detected long ago, the Corporation is directed to proceed and deal with the same in

accordance with law at the earliest and conclude the proceeding within a period of sixteen weeks from the date of communication of this order.

Learned advocate for the petitioner submits that the private respondent is threatening the petitioner for proceeding with the instant writ petition. Learned advocate representing the private respondent denies the allegation of threat made by his client.

It will be open for the petitioner to approach the police if such types of threat are made in future and if a complaint is lodged before the police, necessary action shall be taken to redress the issue in accordance with law.

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.)