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ORDER SHEET
WPO No.189 of 2024
IN THE HIGH COURT AT CALCUTTA
Constitutional Writ Jurisdiction
ORIGINAL SIDE

MD. EHTESHAM UDDIN
-Versus-
THE KOLKATA MUNICIPAL CORPORATION & ORS.

BEFORE:
The Hon'ble JUSTICE AMRITA SINHA
Date: 2nd April, 2024.

Appearance:
Mr. Arif Ali, Adv.
Ms. Sarban Bhattacharjee, Adv.
...for Petitioner.

Ms. Piyali Sengupta, Adv.
Ms. Manisha Nath, Adv.
...for KMC.

Mr. Debjit Mukherjee, Adv.
Mrs. Susmita Chatterjee, Adv.
...for the State.

The Court:- A report has been filed signed by three engineers of the Kolkata Municipal Corporation on 01.04.2024. It mentions that in premises no. 44/1, Canal East Road, Ward No. 29, Borough-III of the Kolkata Municipal Corporation as many as fourteen unauthorized structures have been identified.

The present writ petition is in respect of the structure no.14 of the report where a single storied RCC framed structure has been completed upto the first floor level. The report mentions that stop work notice under Section 401 of the Kolkata Municipal Corporation Act, 1980 was served on 05.03.2024 with intimation to Narkeldanga Police Station and proposal under Section 400 of the Kolkata Municipal Corporation Act, 1980 was forwarded to the Director General [Building] on 16.03.2024.

The Director General [Building] is directed to take prompt necessary steps to ensure that the unauthorized construction in respect of the structure no.14 is immediately taken care of and necessary steps shall be taken to deal with the same.

As regards the thirteen other unauthorized constructions that have been detected, the Director General [Building] is directed to take steps to deal with each and every unauthorized construction that has come to the knowledge of the authority. Steps shall be taken in all the matters at the earliest, but positively within a period of twelve weeks from the date of communication of this order.

Officer-in-Charge, Narkeldanga Police Station is directed to ensure that construction in any manner whatsoever is not carried out in respect of any of the structure of the subject premises.

The order dated 14.03.2024 passed in the instant writ petition stands modified accordingly.

Urgent certified photocopy of this order, if applied for, be supplied to the parties expeditiously on compliance of usual legal formalities.

(AMRITA SINHA, J.)