

ORDER SHEET

WPO No.343 of 2024
IN THE HIGH COURT AT CALCUTTA
CONSTITUTIONAL WRIT JURISDICTION
ORIGINAL SIDE

SMT. PADMA CHAKRABORTY
VS
THE KOLKATA MUNICIPAL CORPORATION AND ORS.

BEFORE:
The Hon'ble JUSTICE AMRITA SINHA
Date: 30th April, 2024.

Appearance:
Mr. Gautam Sapui, Adv.
...For the Petitioner.

Mr. Mihir Kundu, Adv.
Ms. Sabnam De, Adv.
...For the KMC

Mr. Debjit Mukherjee, Adv.
Ms. Susmita Chatterjee, Adv.
...For the State

Mr. Kusal Kr. Mukherjee, Adv.
Mr. Surajit Basu, Adv.
...for respondent no. 6

The Court:- The petitioner complains of illegal and unauthorized construction at the behest of the private respondent at premises no.4D/19, Dharmatala Road, Ward No.67, Borough-VII of the Kolkata Municipal Corporation. Allegation is that boundary wall has been raised in the common space.

Learned advocate representing the private respondent denies the allegation of the petitioner.

Learned advocate representing the Corporation relies upon the report filed by the engineers of the Corporation signed on 18.04.2024 which mentions that departmental inspection was conducted and it was found that there is an existing G+III storied residential building which is fully occupied.

Some portion of the garage is surrounded by iron grill. No new construction has been found during the inspection.

From the submissions made on behalf of the parties, the allegation of unauthorized construction made by the petitioner cannot be substantiated. There may be private disputes in between the parties.

It will be open for the petitioner to approach the competent civil forum for remedy. No further relief can be granted in the instant writ petition. The 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.)

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