

OD-4

ORDER SHEET

WPO No.475 of 2024
IN THE HIGH COURT AT CALCUTTA
Constitutional Writ Jurisdiction
ORIGINAL SIDE

SHASHIKANT B. SHAH
VERSUS
THE KOLKATA MUNICIPAL CORPORATION & ORS.

BEFORE:
The Hon'ble JUSTICE AMRITA SINHA
Date: 24th May, 2024.

Appearance:
Syed Ehtesham Huda, Adv.
Sk. Aptabuddin Adv.
... for the Petitioner.

Mr. Srijan Nayak, Adv.
Mrs. Sima Chakraborty, Adv.
...for KMC.

Ms. Papita Banerjee, Adv.
..for the State.

The Court:- Premises No.1, Manook Lane, Kolkata-700001 has been identified as a dilapidated structure. A 'dangerous building' board has been affixed on the outer wall of the subject structure.

The petitioner intends to demolish the old construction and reconstruct the same. Representation has been made by the petitioner. It is pending consideration at the end of the Municipal Commissioner.

Prayer has also been made by the petitioner for withdrawal of the notice issued under Section 401 of the Kolkata Municipal Corporation Act, 1980.

Without entering into the merit of the claim of the petitioner, the instant writ petition is disposed of by directing the Municipal Commissioner or his delegate to consider and dispose of the representation filed by the petitioner on 7th February, 2024 and 26th March, 2024 in accordance with law after giving reasonable opportunity of hearing to all the necessary parties and to pass a reasoned order. Steps shall be taken in the matter at the earliest but positively within a period of eight weeks from the date of communication of this order.

Learned advocate appearing for the petitioner is directed to forward a copy of the representation dated 7th February, 2024 and 26th March, 2024 to the aforesaid respondent at the time of communicating the order of the Court.

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.)

nm