

OD-29

IN THE HIGH COURT AT CALCUTTA
CONSTITUTIONAL WRIT JURISDICTION
ORIGINAL SIDE

WPO/653/2024
RAJ GUPTA
VS
THE KOLKATA MUNICIPAL CORPORATION AND ORS
IA NO: GA/1/2024, GA/2/2024, GA/3/2024

BEFORE :
THE HON'BLE JUSTICE KAUSIK CHANDA
Date : 5th November, 2024.

Appearance :

Mr. Debnath Ganguly, Adv.
Mr. Aranya Saha, Adv.
Mr. Supriyo Dutta, Adv.
.... for the petitioner.

Mr. Mihir Kundu, Adv.
Mr. Gopal Chandra Das, Adv.
...for Kolkata Municipal Corporation.

Mr. Ritwik Pattanayak, Adv.
Mr. Partha Biswas, Adv.
Mr. Pritha Biswas, Adv.
...for the added respondents.

Mr. Prasenjit Debnath, Adv.
Ms. Punam Basu, Adv.
...for the respondent no. 7.

Ms. Sipra Majumder, Adv.
Ms. Debarati Sen [Bose], Adv. ...for State.

The Court : - Let a copy of the application for addition of parties be served upon the Corporation.

The petitioner alleges unauthorised construction of four rooms at 34, Bidhan Sarani, Kolkata- 700 006.

According to the report filed by the Corporation, following the receipt of a complaint, the Corporation inspected the premises and found that respondent no. 7, Minati Kundu had constructed four rooms on the ground floor using brick walls, corrugated sheds, and reinforced cement concrete slabs, all without a sanctioned plan. In response, the Corporation issued a stop-work notice under Section 401 of the

Kolkata Municipal Corporation Act, 1980, on February 11, 2023. Furthermore, the Corporation has initiated a demolition case under Section 400 of the same Act.

In light of the above, there is no need to keep this writ petition pending.

Accordingly, I dispose of the writ petition with a direction to the Corporation to take the necessary steps in accordance with law regarding the unauthorized construction in question. In considering the matter, the Corporation shall hear respondents no. 7 and 8, as well as the tenants occupying the shop rooms.

Thus, WPA 653/2024, along with the connected applications, is disposed of.

(KAUSIK CHANDA, J.)

pkd/s.mandi