

OD - 17

IN THE HIGH COURT AT CALCUTTA
Constitutional Writ Jurisdiction
ORIGINAL SIDE

WPO/724/2024
ANIRBAN SENGUPTA
VS

THE KOLKATA MUNICIPAL CORPORATION AND
ORS.

BEFORE :
THE HON'BLE JUSTICE KAUSIK CHANDA
Date : 24th September, 2024

Appearance :
Mr. Amit Gupta, Adv.
Mr. D. Dey, Adv.
..for the petitioner.

Mr. Gopal Chandra Das, Adv.
Ms. Tanushree Dasgupta, Adv.
..for the KMC.

The Court : The petitioner challenges a notice issued against him by the Kolkata Municipal Corporation under Section 401 of the Kolkata Municipal Corporation Act, 1980, concerning premises No.180, Kalicharan Ghosh Road, Kolkata - 700 015.

The report submitted by the Corporation before this Court today indicates that the petitioner has engaged in unauthorized construction that deviates from the sanctioned plan. It appears that, during the pendency of the writ petition, the petitioner responded to the notice dated September 12, 2024, requesting regularization of the deviated portions.

In light of the foregoing, I hereby dispose of the writ petition, granting the petitioner the opportunity to apply for regularization of the unauthorized construction before the Commissioner of the Kolkata Municipal Corporation within seven days from the date of this order. The Commissioner shall either decide the matter personally or may delegate the responsibility to a competent officer to decide the issue in accordance with the law.

Until the issue of regularisation is resolved by the Corporation, the Corporation shall refrain from proceeding with any demolition activities in respect of the said premises. The entire process shall be concluded by the Corporation within three months from the date of communication of this order.

Accordingly, WPO No.724 of 2024 is disposed of.

(KAUSIK CHANDA, J.)

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