

ORDER SHEET

WPO/905/2024

IN THE HIGH COURT AT CALCUTTA
Constitutional Writ Jurisdiction
ORIGINAL SIDE

ANSHU AGARWAL AND ORS.
Vs
THE KOLKATA MUNICIPAL CORPORATION AND ORS.

BEFORE:
The Hon'ble JUSTICE KAUSIK CHANDA
Date : 27th November, 2024.

Appearance:

Mr. Rajesh Upadhyay, Adv.
...for the petitioners

Mr. Alak Kr. Ghosh, Adv.
Ms. Manisha Nath, Adv.
...for the KMC

Mr. Rachit Lakhmani, Adv.
Mr. Shubham Gupta, Adv.
Mr. Piyush Kumar, Adv.
Mr. Rajsekhar Balbakshi, Adv.
...for the respondent nos. 5, 6, 8 & 13.

Mr. Gunjan Shah, Adv.
Ms. Shreya Agarwal, Adv.
...for the respondent no. 9

The Court: By filing this writ petition, the petitioners seek the implementation of the order dated September 29, 2022, passed in WPO/2738/2022.

Mr. Ghosh, learned counsel appearing on behalf of the Corporation, has submitted a report. It appears that, in compliance with the order dated

September 29, 2022, a hearing was held before the Executive Engineer (Building), Borough-IV and V, on April 13, 2024. However, before a reasoned order could be passed, the said officer retired from service. The Corporation has expressed its intention to proceed with the matter afresh, following an inspection, in order to comply with the order dated September 29, 2022.

In light of the Corporation's stand, no further order is necessary in this writ petition.

The Corporation is directed to take the necessary steps to comply with the order dated September 29, 2022, as expeditiously as possible, preferably within a period of three months from the date of this order.

Learned counsel representing respondent nos. 5, 6, 8, and 13 submits that the order dated September 29, 2022, was passed without their knowledge or inclusion as parties to the proceeding. They became aware of the order only when a copy of this writ petition was served upon them.

If respondent nos. 5, 6, 8, and 13 are aggrieved by the order dated September 29, 2022, they are at liberty to challenge the same in accordance with the law.

Accordingly, WPO/905/2024 is disposed of.

(KAUSIK CHANDA, J.)