

IN THE HIGH COURT AT CALCUTTA
CONSTITUTIONAL WRIT JURISDICTION
ORIGINAL SIDE

WPO/1014/2024
SANJU DEVI SHAW ALIAS SANJO DEVI.
VS
THE KOLKATA MUNICIPAL CORPORATION & ORS.

BEFORE:
The Hon'ble JUSTICE KAUSIK CHANDA
Date : 14TH November, 2024.

Appearance:
Mr. Aurin Chakraborty, Adv.
Mr. Ataur Rahaman, Adv.
Miss. Manjushri, Adv.
.....for Petitioner.
Mr. Alak Kr. Ghosh, Advocate,
Mr. Swapan Kr. Debnath, Adv.
For Kolkata Municipal Corporation
Mr. Supratick Shyamal, Adv.
For respondent no. 7

The Court:- Mr. Aurin Chakraborty, learned Advocate for the petitioner, submits that although a Coordinate Bench of this Court, by an order dated March 4, 2024, directed the Corporation to conclude the relevant demolition proceedings, after affording the petitioner a due opportunity for hearing, the Corporation has nonetheless passed a demolition order on September 4, 2024, without providing any such opportunity to the petitioner. He seeks a stay of the operation of the said demolition order.

Mr. Alak Kumar Ghosh, learned Advocate for the Corporation, submits that the demolition proceedings were initiated in accordance with Section 408 of the Kolkata Municipal Corporation Act, 1980. He further submits that the Corporation is facing contempt proceedings for the alleged violation of the order dated March 4, 2024. The Hon'ble

Judge, by an order dated November 8, 2024, has directed the Corporation to complete the demolition proceedings. The contempt application is, however, still pending.

The Court is not inclined to pass any order in this writ petition, as doing so would interfere with the ongoing contempt proceedings before another coordinate Bench of this Court.

Accordingly, WPO/1014/2024 is dismissed.

However, this dismissal shall not preclude the petitioner from approaching the Hon'ble Judge hearing the contempt application in accordance with the law.

(KAUSIK CHANDA, J)

dg.