

M/L 44
04.11.2025
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Ct.3.

IN THE HIGH COURT AT CALCUTTA
CONSTITUTIONAL WRIT JURISDICTION
APPELLATE SIDE

WPA 144 of 2024

Ajoy Kumar Mondal
Versus
Kolkata Municipal Corporation & Ors.

Mr. Pradip Kumar Dutta, Sr. Advocate
Mr. Deep Narayan Mukherjee
... For the petitioner.

Mr. Debjit Mukherjee
Mr. Samrat Pal
... For the State.

Mr. Srijan Nayak
Ms. T. Dasgupta
... For KMC

1. Affidavit of service filed in Court is taken on record. Despite service the private respondents are not represented.
2. The petitioner claims to be a neighbour of the private respondents. The petitioner claims that the private respondents have some times in August 2023 purchased premises no. 10/2B Krishna Mullick Lane, Kolkata – 700037, comprising of a 3 storied building from the legal heirs of one Jagdish Agarwal.
3. According to the petitioner, since the petitioner noticed an illegal construction to have come up on 4th storey of the said plot, the petitioner had lodged a complaint on 30th September, 2023 with the Chairman, Borough-I, Kolkata Municipal Corporation.
4. Mr. Dutta, learned senior advocate representing the petitioner would submit that on the basis of the

complaint lodged by the petitioner steps have already been taken by the municipal authorities and a notice under Section 401 of the Kolkata Municipal Corporation Act, 1980 (hereinafter referred to as the “said Act”) has already been issued.

5. Ms. Dasgupta, learned advocate led by Mr. Nayak, learned advocate appears on behalf of the Kolkata Municipal Corporation. She would confirm the fact that that a proceeding has already been initiated pursuant to the complaint lodged by the petitioner.

6. Taking into consideration the fact that steps have been taken to redress the petitioner’s complaint, I am of the view that nothing survives in the instant writ petition, the same is accordingly disposed of by directing the municipal authorities to bring the proceedings already initiated by them to a logical conclusion.

7. With the above observations and directions, the writ petition is disposed of.

Urgent photostat certified copy of this order, if applied for be given to the parties upon compliance with the requisite formalities.

(Raja Basu Chowdhury, J.)