

67. 10.11.2025
Court No.03.
(M/L)
(Pritam)

WPA 712 of 2024

Sk. Shabbir.

-Vs.-

State of West Bengal & Ors.

Ms. Sonal Sinha,
Mr. S. Das.

....for the State.

Mr. Atis Kumar Biswas,
Ms. Manisha Nath.

....for the KMC.

1. The matter pertains to a direction upon the municipal authorities to demolish an illegal and unauthorized construction situated at premises no. B/4/H/1/13, Convent Lane, Police Station-Entally, Kolkata-700 015. Though the petitioner is not represented at the time of call, however, the learned advocate representing the municipality would submit that on the basis of the representation made by the petitioner, steps have already been taken.
2. In this context, he places before this court an instruction to demonstrate that the stop work notice under Section 401 of the KMC Act, 1980 has been issued on 24th January, 2024. The department is processing further action under Section 400. A copy of a communication countersigned by the Executive Engineer/Building Borough-VII, KMC is taken on record.

3. Having regard to the above, I am of the view that nothing survives in the writ petition. Accordingly, the writ petition stands disposed of.
4. It is however made clear that the demolition proceeding under Section 400 of the KMC Act must be proceeded with upon due notice to all persons interested. This will not interfere with the authority, Mayor-in-Council to exercise powers under Section 400(8) of the KMC Act, if situation so demands.

(Raja Basu Chowdhury, J.)