

24.06.2025
Sl. No. 53
Ct No. 3
SG

WPA 971 of 2025

**Md. Amin
Vs
Kolkata Municipal Corporation & Ors.**

Mr. T. Quasimuddin,
Mr. Z. Tahur,
Mr. S. Alam.

...for the petitioners

Mr. Alak Kr. Ghosh.

...for the KMC

Mr. S. Kamal,
Mr. S. Hossain.

...for respondent nos. 9 to 10

1. The petitioner has preferred the present writ petition alleging unauthorized construction being carried out by the private respondents at premises no. 12/1, Chamaru Khansama Lane, P.S. Karaya, Borough VII, Ward No. 65, Kolkata- 700017.
2. It is the case of the petitioner that the private respondents have carried out unauthorized construction in deviation of the sanctioned building plan.
3. Learned Counsel for the respondent has filed a report wherein it is stated that the private respondents are indeed carrying out unauthorized construction in deviation of the sanctioned plan. A stop work notice under Section 401 of Kolkata Municipal Corporation Act, 1980 was issued against the private respondents

on 26.04.2025. A copy of the said notice has also been sent to the concerned police authorities for necessary action. It is further stated in the report that the unauthorized construction in question violates the provisions of Rules No. 62, 70, 133, 134 of the Kolkata Municipal Corporation Building Rule, 2009. Consequently, proceedings have been initiated under Section 400 of the KMC Act, 1980.

4. In the view of the said report, learned Counsel for the petitioner submits that his client shall be satisfied if the proceedings already initiated by the Corporation are brought to their logical conclusion.

5. Since the Corporation has already started proceedings under Section 400 of the KMC Act, it is expected that the same shall concluded as expeditiously as possible.

6. With the above direction, the present writ petition is disposed of.

7. Since no affidavits have been filed by the respondents, the allegations made in the writ petition shall not be deemed to have been admitted.

8. There shall be no order as to costs.

9. Let urgent Photostat certified copy of this order, if applied for, be supplied to the parties on usual undertaking.

(Gaurang Kanth, J.)