

27.03.2025
Item No.06
RP/SM
Ct. No.01

WPA(P) 63 of 2025
Pradip Bayen
Vs.
The Kolkata Municipal Corporation & Ors.

Mr. Debabrata Sardar

....For Petitioner

Mr. Zohaib Rauf

Mr. Nilanjan Bhattacharya

....For Respondent No.15

Mr. Alok Kumar Ghosh

....For Kolkata Municipal Corporation

Mr. Jahar Lal De

Mr. Shamim ul Bari

....For State

1. By filing this public interest litigation the petitioner alleges that the private respondent nos.13, 14 and 15 have illegally filled up a water body and put up construction thereon without obtaining building plan from the Kolkata Municipal Corporation. With this allegation representation has been sent to the Kolkata Municipal Corporation on 28.11.2024.
2. Learned advocate appearing for the respondent no.15 submitted that the respondent no.15 is no way concerned with the premises no.219, Picnic Garden Road, Kolkata-700042 and any order which may be passed in this writ petition will have no effect on the respondent no.15.
3. The respondent nos.13 and 14 though served have not appeared before this Court either in person or through counsel. In any event, this Court is not

inclined to issue any positive direction. However, since representation has been given by the petitioner, the petitioner shall be informed as to what is the exact state of affairs by sending a communication in writing within one week from the date of receipt of server copy of this order clearly setting out all details dealing with the allegations made by the petitioner and on receipt of the reply it will be open to the petitioner to work out his remedy in accordance with law. This direction will be complied with by the 5th respondent.

4. It is made clear that this Court has not gone into the allegations made in the representation or writ petition.
5. With the above direction, this writ petition is disposed of.

(T.S SIVAGNANAM)
CHIEF JUSTICE

(CHAITALI CHATTERJEE (DAS), J.)