

17.04.2025
Item No.40
gd/ssd

WPA(P)/125/2025

ZEESHAN PERVAIZ
VS
STATE OF WEST BENGAL AND ORS.

Mr. Syed Raihanul Hossain
..for the Petitioner.

Mr. Sk. Md. Galib,
Mr. Abu Siddique Mallik
..for the State.

Mr. Alak Kumar Ghose,
Mr. S. Panda
..for KMC.

1. This writ petition has been filed contending that the private respondent nos. 11 to 14 have put up unauthorized construction without obtaining the requisite planning permission/approval from the Kolkata Municipal Corporation.

2. In this regard, a representation was submitted on 11.02.2025 to all the authorities which have been acknowledged by the concerned authorities. As could be seen from the date, seal affixed in the copy of the representation annexed at page 19 to the stay petition.

3. The learned advocate appearing for the KMC submitted that the 4th respondent may be directed

to cause an inspection of the area and proceed to take action in accordance with law if it is found that the construction is illegal or unauthorized or both.

4. In the light of the above, without going into the merits of the allegations made by the petitioner against the private respondents, since affidavits have not been called for, there will be a direction to the respondents nos. 4 and 5 to immediately cause a surprise inspection in the area in question and take note of all the issues and thereafter issue notice to the respondents nos. 9 to 14 and after affording an opportunity for them to cause an explanation and proceed to take action in accordance with law.

5. Let the surprise inspection be conducted within two weeks from date.

6. Thereafter the authority shall proceed to take action in accordance with law after notice to the private respondents and complete the entire exercise within a period of two months from the date on which the inspection is completed.

7. In the event any police assistance is required for the officers of the KMC while causing the surprise inspection, a requisition may be made to the 8th respondent, namely, Officer-in-Charge, Entally Police Station, who on receipt of the requisition, shall

deploy adequate force to accompany the officers of the KMC while conducting surprise inspection.

8. With the above observations, the matter stands disposed of.

(T. S. SIVAGNANAM)
CHIEF JUSTICE

(CHAITALI CHATTERJEE (DAS), J.)