

10 12-06-2025
AKG
Ct. 15

WPA 7933 of 2025
Smt. Snigdha Bardhan
Vs.
The Kolkata Municipal Corporation & Ors.

Mr. Biswajib Ghosh,
Mr. Ujjal Kanti Jana,
Mr. Sumitava Chakraborty,
Mr. Basudeb Patra
...for the Petitioner

Mr. Biswajit Mukherjee,
Ms. Poushali Banerjee
...for KMC

Mr. Anirban Roy,
Mr. Debjit Basu
...for Respondent Nos. 12 to 31

Mr. Abhishek Banerjee
...for the State

The petitioner alleges that respondent nos. 12 to 31 have undertaken unauthorised constructions at premises no. 26C, Debendra Mullick Street, Police Station – Bowbazar, Kolkata – 700073, falling within Ward No. 44 under the jurisdiction of the Kolkata Municipal Corporation.

The petitioner claims to be a co-sharer of the adjacent premises at No. 26B, Debendra Mullick Street, Police Station – Bowbazar, Kolkata – 700073, also within Ward No. 44 of the Kolkata Municipal Corporation.

The learned advocate appearing on behalf of the Kolkata Municipal Corporation submits that the petitioner has obtained a sanctioned building plan under Rule 3(2)(e),

Rule 3(2)(a), and Rule 3(2)(l) of the Kolkata Municipal Corporation Building Rules, 2009, as well as under Section 410 of the Kolkata Municipal Corporation Act, 1980, vide Sanction No. 60/Bldg./Br-V/2023-24 dated 27.03.2024, issued pursuant to Circular No. 09 dated 30.12.2013.

Upon inspection, the Corporation observed that certain individuals had already demolished existing structural walls in violation of the sanctioned building plan.

Consequently, a stop-work notice has been issued under Section 401 of the Kolkata Municipal Corporation Act, 1980. The Corporation has further initiated proceedings under Section 400 of the said Act, and the matter is currently under process.

In view of the above, there is no justification for keeping the writ petition pending. Accordingly, this writ petition is disposed of with a direction upon the Kolkata Municipal Corporation to complete the proceedings initiated under Section 400 of the Kolkata Municipal Corporation Act, 1980 as expeditiously as possible, in accordance with law.

It is further directed that the Corporation shall take appropriate steps to ensure that no further unauthorised construction is carried out at the premises in question during the pendency of such proceedings.

Accordingly, **WPA 7933 of 2025** is disposed of.

Urgent certified *website* copies of this order, if applied for, be made available to the parties upon compliance with the requisite formalities.

(Kausik Chanda, J.)