

07.07.2025.
Item No. 32.
Court No. 13
ap/AP

M.A.T. No. 629 of 2025
With
I.A. No. CAN 1 of 2025

Sankar Lal Singh
Versus
Kolkata Municipal Corporation & Ors.

Mr. Soumya Majumdar, Id. Sr. Advocate,
Mr. Aritra Basu,
Mr. Uttam Kumar Mondal,
Ms. Maitree Roy.

....For the appellant.

Mr. Satyajit Talukdar,
Mr. Arindam Chatterjee.

...For the KMDA.

Mr. Alok Kumar Ghosh,
Mr. Gopal Chandra Das.

...For the KMC.

Mr. Rahul Kumar Singh,
Ms. Sohini Mukherjee,
Mr. S. Sarkar.

..For the State.

1. Affidavit-of-service filed in Court today be taken on record.
2. The instant intra court appeal is directed against the judgment and order dated 13th March, 2025 passed by a learned Single Judge of this Court in W.P.A. No. 12993 of 2023.
3. The grievance of the appellant/writ petitioner was that the Kolkata Municipal Corporation was permitting construction of building near the Bagmari Bridge located at Maniktala in the city of Kolkata.
4. The Kolkata Municipal Corporation was required to file four several successive reports. Each of the aforesaid reports and the last one by both the Kolkata Municipal Corporation and the Kolkata Metropolitan

Development Authority have specified in no uncertain terms that the construction of building near the Bridge, Kolkata Municipal Corporation will not affect the integrity or safety of the Bridge approaches.

5. It is now well settled that a Writ Court does not sit in appeal over the findings of a specialized statutory body. Such statutory body has in its employment technical experts in the area of Civil Engineering.

6. The Writ Court is not competent enough to give findings contrary to the reports of the engineering experts in the field.

7. Exception filed by the petitioner before the Court did not contain any evidence to the contrary from the qualified experts.

8. The writ petitioner admittedly is not a Civil Engineer or a City Architect or he does not have the qualifications and experience of the Engineers of the Kolkata Municipal Corporation.

9. In that view of the matter, the impugned order calls for absolutely no interference whatsoever.

10. M.A.T. No. 629 of 2025 must fail and is hereby dismissed.

11. In view of dismissal of the appeal itself, the connected application being CAN 1 of 2025 shall also stand dismissed.

12. There will be no order as to costs.

13. All parties are directed to act on a server copy of this order duly downloaded from the official website of this Court.

(Rajasekhar Mantha, J.)

(Ajay Kumar Gupta, J.)