

May 30, 2025
ARDR (18)
(Vacation Bench)

WPA 9709 of 2025

Pratima Shaw
Vs.
The State of West Bengal & ors.

Adv. Rishab Ahmed Khan (VC),
Adv. Aman Jaiswara,
...for the petitioner.

Adv. Vimal Kumar Shahi,
Adv. Ina Bhattacharjee,
Adv. Susmita Chatterjee,
...for the KMC.

Adv. Swapan Banerjee, Ld. AGP,
Adv. Md. Ahsanuzzaman,
Adv. Somnath Ghosh,
...for the State.

The petitioner alleges that the private respondents have been carrying out construction in violation of the sanctioned plan and in contravention of the applicable building rules. This matter was brought to the notice of the Kolkata Municipal Corporation. However, no action was taken by the Corporation. This inaction has prompted the petitioner to prefer the present writ petition.

Mr. Vimal Kumar Shahi, learned advocate representing the Kolkata Municipal Corporation, submits that upon receipt of the complaint from the petitioner, an enquiry was conducted. During the enquiry, it was revealed that the private respondent had carried out construction in deviation from the sanctioned plan, and accordingly, the Corporation issued a notice under Section 400(1) of the Kolkata Municipal Corporation Act.

Since the Corporation has already taken steps in the matter, I am of the view that no further interference is warranted in this writ petition.

Accordingly, the writ petition is dismissed without any further order.

A copy of the report produced by the State has been handed over to the learned advocate representing the petitioner in Court today.

Urgent certified copy of this order, if applied for, be given to the parties upon compliance with all requisite formalities.

(Partha Sarathi Chatterjee, J.)