

03.06.2025
(D/L. 33)
Ct.-07
(Susanta
Aminur)

W.P.A. 12194 of 2025

Irfan Khan & Ors.

-Vs-

The Kolkata Municipal Corporation & Ors.

Mr. Manoj Kumar Ray,
Mr. Sudipta Sarkar,
Mr. Parimal Chakraborty

.... For the Petitioners.

Mr. Vimal Kumar Shahi,
Ms. Ina Bhattacharyya,

.... For the K.M.C.

1. The petitioners allege that although they are the owners of the building and have been operating their business from it for a long time, the Kolkata Municipal Corporation has suddenly taken steps to demolish the said building illegally, without considering the plight that the petitioners may face if the demolition work is carried out.
2. Mr. Manoj Kumar Ray, learned advocate for the petitioners, submits that no notice has been served upon the petitioners and no opportunity of hearing has been given to them. He submits that taking note of this fact an immediate intervention of this Court is required.
3. Mr. Vimal Kumar Shahi, learned advocate representing the Corporation, submits that

the petitioners have ventilated their grievances before the Building Department of the Corporation, whereas the Waste Management Department is the appropriate authority to deal with the issue.

4. He submits that the petitioners may be directed to approach the Waste Management Department of the Corporation, and a direction may be issued to the said department to consider the grievances of the petitioners and take an appropriate decision accordingly.
5. Mr. Shahi submits that, in the meantime, if a direction is given to the Corporation not to undertake any demolition work, the Corporation would have no objection.
6. In view of the submission made on behalf of the Corporation, the writ petition being W.P.A. 12194 of 2025 is disposed of by granting liberty to the petitioners to make a comprehensive representation to the Waste Management Department of the Corporation within a period of two weeks.
7. In the event such representation is received by the Waste Management Department from the petitioners, the same shall be disposed of in accordance with law after affording an

opportunity of hearing to the petitioners and all other interested parties.

8. Until a decision is taken on the petitioners' representation, the Corporation shall not undertake any demolition work in respect of the building in question.

9. Parties are to act on the server copy of this order duly downloaded from the official website of this Court.

(Partha Sarathi Chatterjee, J.)