

SL1 20-06-2025
AKG
Ct. 15

WPA 13712 of 2025
Shaiku Waheed
Vs.
The Kolkata Municipal Corporation & Ors.

Mr. Biswajit Ghosh,
Mr. Sumitava Chakraborty,
Ms. Satabdi Das

...for the Petitioner

Mr. Vimal Kr. Shahi,
Mrs. Ina Bhattacharyya

...for KMC

The petitioner submits that he has obtained a sanctioned plan for a G+4 storied building located at 1, Abdul Ali Row, Ward No. 62, Borough – VI, P.S. – Park Street, Kolkata – 700 016, under the jurisdiction of the Kolkata Municipal Corporation.

Thereafter, the petitioner constructed the building in accordance with the sanctioned plan.

It is alleged that the Corporation, in an arbitrary manner, has initiated proceedings under Section 408 of the Kolkata Municipal Corporation Act, 1980, and intends to demolish the said premises tomorrow without issuing any prior notice to the petitioner.

Learned advocate appearing for the Corporation submits that there has been some minor deviation in the construction. It is further stated that if the petitioner submits an application for regularisation, the same shall be considered in accordance with law.

In view of the foregoing, no further substantive issue remains for adjudication in this writ petition. The petitioner is accordingly granted liberty to submit an application before the Corporation for regularisation of the alleged unauthorised construction within seven days from the date of this order.

If such application is submitted, the Corporation shall consider and dispose of the same in accordance with law within a period of three months thereafter.

Until such decision is rendered by the Corporation, it shall refrain from taking any coercive action, including demolition, in respect of the alleged unauthorised construction.

Accordingly, **WPA 13712 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.)