

30.07.2025
Ct. No.3
Sl. No.4
akd

W. P. A. 14436 of 2025

[Samir Kumar Addy -Vs- The State of West Bengal & Ors.]

Mr. Arkaprava Sen
Mr. Sayantan Kar
... ... for the petitioner
Mr. Piush Chaturvedi .. Sr. Advocate
Mr. Suman Basu
... ... for the KMC
Mr. Manas Kundu
Mr. Prasanta Behari Mahato
... ... for the State

1. Affidavit-of-service filed in court today is taken on record.
2. The petitioner has preferred the present writ petition, being aggrieved by the inaction on the part of the respondent-Kolkata Municipal Corporation in failing to take appropriate steps to remove the illegal and unauthorized encroachment by street vendors on the public footpath in front of his residence situated at 97/6A, Hazra Road, Kolkata.
3. It is the case of the petitioner that he is the lawful owner of premises no. 97/6A, Hazra Road, Kolkata- 700026, having housing consists of multiple residential building and lawful commercial establishments. It is alleged that a number of squatters have encroached upon the footpath directly in front of the said property, thereby causing obstruction to the free ingress and egress to the occupants and visitors of the building. Despite the petitioner having made several representations to the respondent-Kolkata Municipal Corporation, no effective action has been taken by the authority concerned. The petitioner further contends that the respondent-Corporation has allowed these squatters or street vendors to continue squatting on the footpath in contravention of the provisions of the Street Vendors

(Protection of Livelihood and Regulation of Street Vending) Act, 2014.

4. Learned senior counsel for the respondent–Kolkata Municipal Corporation submits that the authorities are ready and willing to consider and dispose of the representation of the petitioner dated 16.06.2025.

5. In light of the above submission, learned counsel for the petitioner submits that the petitioner would be satisfied if his representation dated 16.06.2025 is considered and decided by the Corporation in a time-bound manner.

6. Accordingly, this Court directs the Chairman, Town Vending Committee, Kolkata Municipal Corporation (respondent no.5), to consider and decide the representation of the petitioner dated 16.06.2025 by passing a reasoned and speaking order, strictly in accordance with law, within a period of eight weeks from the date of communication of this order. Prior to the passing of such order, the said authority shall afford an opportunity of personal hearing to the petitioner or any other relevant stakeholders.

7. With the aforesaid directions, the present writ petition is disposed of.

8. Since no affidavits have been filed by the respondents, the allegations made in the writ petition shall not be deemed to have been admitted.

9. There shall be no order as to costs.

10. Let urgent Photostat certified copy of this order, if applied for, be supplied to the parties on usual undertaking.

(Gaurang Kanth, J.)