

Court No. 15
(265781)

WPA 15766 of 2024

06.01.2025

(A 26)

(S. Banerjee)

Imran Khan

Vs.

Kolkata Municipal Corporation & Ors.

Mr. Giasul Islam

...for the petitioner

Mr. Barin Banerjee

Ms. Sima Chakraborty

...for the KMC

Mr. Abhishek Banerjee

Mr. Bikramjit Mondal

...for the State

Ms. Somoshree Saha

...for the respondent nos. 8 to 12

At the time of call an adjournment is sought on behalf of the petitioner.

The report filed by the Corporation suggests that the Corporation has inspected premises no. 588, Thakurpukur Road, Kolkata – 700 063, Ward No. 125, Borough XVI under the Kolkata Municipal Corporation and found that a new structure on the first floor had been constructed over an old single-storied building by the respondent nos. 8 to 12. No sanction plan could be produced by the persons responsible in support of the new construction. The Corporation has issued a notice under Section 401 of the Kolkata Municipal Corporation Act, 1980 on June 25, 2024. The Corporation has processed the file to

initiate a proceeding under a suitable sub-section of Section 400 of Kolkata Municipal Corporation Act, 1980.

Learned advocate appearing for the respondent nos. 8 to 12 on the other hand submits that no construction is being carried out by the said respondents as on date. The allegation of unauthorized construction is also denied.

In view of the aforesaid, I am not inclined to keep this writ petition pending. The writ petition is disposed of giving a direction upon the Corporation to initiate a proceeding under Section 400(1) of the Kolkata Municipal Corporation Act, 1980 and conclude the same within a period of six months from date.

Needless to mention that the Corporation shall hear the persons responsible for the construction including the respondent nos. 8 and 9 in deciding the matter.

Accordingly, WPA 15766 of 2024 is disposed of.

(Kausik Chanda, J.)