

27.01.2025
Sl. No. 6
AKG
Ct. 15

WPA 18249 of 2024
Gourab Ujjwal Chakraborty
-vs-
The State of West Bengal & Ors.

Ms. Shampa De	...for the Petitioner
Mr. Joydip Banerjee, Mr. Pashupati Shome	...for the State
Mr. Debjit Mukherjee, Mr. Dipankar Ghosh	...for the Municipality
Ms. Amrita Tewari	...for Special Officer
Mr. Md. Nurezaman	...for Respondent No. 6

An adjournment is prayed for on behalf of the petitioner. Such prayer is declined.

The facts involved in this case have been indicated in the order dated January 7, 2025, and the same need not be reiterated. Copy of the report filed by the special officer has also been circulated amongst the parties. The report of the special officer also suggests that the relevant construction has been raised in terms of the sanctioned plan granted by the Kolkata Municipal Corporation.

In fact, the Kolkata Municipal Corporation has also submitted before this Court that there has been no deviation from the sanctioned plan.

The relevant part of the report filed by the special officer is quoted below:

“In my presence the officers of the Kolkata Municipal Corporation started measurement to find out whether the mandatory side open space has been left or not. After measuring the officers of the Kolkata Municipal Corporation informed. That eastern side of the open space is 12.5 mm. and western side of the open space is 16.5 mm. which is according to the plan sanctioned by the Kolkata Municipal Corporation. Further the height of the building was measured 12.5 mm from the existing plinth level. All these measurements were taken in front of both the parties and Learned Advocates along with me by the Kolkata Municipal Corporation’s Officers.”

Accordingly, **WPA 18249 of 2024** is dismissed.

Special Officer stands discharged.

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.)