

10.09.2025
Sl. No. 17
Ct No. 3
SG

WPA 20379 of 2023

**Chandan Baksi
Vs
The Kolkata Municipal Corporation & Ors.**

Mr. Aniruddha Chatterjee, Sr. Adv.
Mr. Abir Lal Chakravorti.
...for the petitioner

Mr. Atis Kumar Biswas.
...for KMC

Mr. Shamba Chakraborty.
...for respondent no. 6

1. The petitioner has preferred the present writ petition, being aggrieved by the inaction on the part of the respondent authorities in failing to decide his pending representation dated 26.07.2023, wherein he requested the respondents to conduct an inspection and take steps in accordance with law under Section 400 and 401 of the Kolkata Municipal Act, 1980 and demolish the illegal construction being raised by the private respondent no. 6 in the property at 36, Baishnabghata Road and take steps to cancel, revoke, rescind the mutation/ recording of name of the private respondent no. 6 in respect of the said property. The petitioner is claiming himself to be the co-owner of the property situated at the abovementioned site. The private respondent purchased a portion of the said land from the other co-owners and based on the said

sale deed he entered his name in the municipal records. Furthermore, it is alleged that the private respondent has been raising illegal and unauthorized construction in the aforesaid plot of land and has also erected a black double door iron gate on the southern wall of the said plot of land which is part of C.S. Dag No. 223, opening on to the private passage of the petitioner. The petitioner has challenged the same and preferred various representations including the one dated 26.07.2023. However, no response has yet been received from the respondent-Kolkata Municipal Corporation.

2. Learned Counsel for the respondent-Kolkata Municipal Corporation states that the authority is ready and willing to decide petitioner's representation dated 26.07.2023.

3. Learned Counsel for the petitioner states that the petitioner shall be satisfied if the same is decided within a time bound manner.

4. In view of the submissions made by the learned Counsel for the parties, this Court directs the respondent no. 4 to decide the petitioner's representation dated 26.07.2023, strictly in accordance with law, after affording an opportunity of personal hearing to the petitioner as well as private respondent, within a period of eight weeks from the

date of communication of this order, by way of a speaking order.

5. With the above direction, the present writ petition stands disposed of.

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

7. There shall be no order as to costs.

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

(Gaurang Kanth, J.)