

19.05.2025
Sl. No. 22
Ct No. 3
SG

WPA 21619 of 2024

**Lily Munshi
Vs
The Kolkata Municipal Corporation & Ors.**

Mr. Sourav Sen,
Mrs. Jayashree Saha,
Mr. Partha Chakraborty,
Md. Obaid.
...for the petitioner

Mr. Biswajit Mukherjee,
Ms. Paroma Sengupta.
...for KMC

Mr. Sudipto Panda,
Mr. Pranab Sarkar.
...for state

1. The petitioner has preferred the present writ petition seeking to set aside the mutation recorded in favour of private respondent nos. 9 to 11, along with Alok Das (since deceased), in respect of premises no. 102/2A, Debendra Chandra Dey Road, Kolkata, bearing assessee no. 11-056-05-0060-9.
2. The petitioner contends that the said mutation was effected on the basis of forged and fabricated documents. A representation was submitted by the petitioner to the Kolkata Municipal Corporation (KMC), pursuant to which a hearing was scheduled vide letter dated

07.06.2023. However, the petitioner claims that no further communication has been received from the KMC, and he remains unaware of the outcome of the hearing conducted pursuant to the said letter.

3. Learned Counsel appearing on behalf of the respondent-KMC submits that the hearing with respect to the disputed mutation shall be concluded within a period of eight weeks from the date of receipt of a copy of this order. The hearing shall be conducted after affording an opportunity of being heard to both the petitioner and the private respondents, and a reasoned speaking order shall be passed.
4. The petitioner has further prayed for quashing of the sanctioned building plan in respect of the said premises, as well as for the demolition of the alleged unauthorized construction carried out thereon.
5. Learned Counsel for the respondent-KMC submits that, pursuant to the petitioner's representation, the KMC has already issued a stop-work notice in respect of the ongoing construction. It is further submitted that appropriate proceedings, in accordance with

law, shall be initiated and concluded within a period of eight weeks, following due process.

6. In view of the foregoing directions, the present writ petition stands disposed of.
7. It is clarified that since no affidavits have been filed by the respondents, the allegations contained in the writ petition shall not be deemed to have been admitted.
8. There shall be no order as to costs.
9. Let an urgent Photostat certified copy of this order, if applied for, be supplied to the parties upon compliance with requisite formalities.

(Gaurang Kanth, J.)