

20.05.2025
Sl. No.37
Ct.3/ tkm

W.P.A. 23386 of 2024

Sutanu Bhowmick
Vs.
KMC & Ors.

Mr. D Chatterjee
Mr. Afsar Ali

... ... for the petitioner

Mr. Sandipan Banerjee
Ms. Debangana Dey Nayak
... ... for the KMC

1. The petitioner claims to be the absolute owner and lawful resident of premises situated at 41E/1A Palm Avenue, Kolkata. The grievance raised in the present writ petition pertains to alleged unauthorized and illegal construction carried out by the private respondent in front of the petitioner's residence, which completely blocking the south side of the house, thereby causing a considerable obstruction for the natural light, passage for wind as well as the free ingress and egress to the petitioner's premises.
2. The petitioner contends that despite several representations before the appropriate authorities of the Kolkata Municipal Corporation, no remedial action has been taken, thereby prompting him to invoke the writ jurisdiction of this Court.

3. Learned counsel for the respondent corporation submits that appropriate steps have indeed been taken in response to the petitioner's complaint. It is further submitted that an FIR has already been lodged against the private respondent concerning the impugned unauthorized construction. Further, it is stated that a demolition order has already been issued by the corporation against the private respondent for carrying out such unauthorized construction in the form of encroachment upon public land.
4. He further assures this Court that since the corporation has already passed a demolition order, it is expected that the same shall be brought to its logical conclusion in accordance with law and preferably the same shall be executed within a period of eight weeks from the date of communication of this order.
5. In view of such assurance extended on behalf of the respondent corporation, learned counsel for the petitioner submits that his client's grievances are now substantially redressed and accordingly, he does not wish to press the present writ petition.
6. In light of the foregoing, the present writ petition is disposed of.

7. Since no affidavit is called for, allegations made in the writ petition are deemed to have been denied.

(Gaurang Kanth, J.)