

26.09.2025
Sl. No. 19
Ct No. 3
tkm

WPA 23362 of 2025

**Smt. Kalpana Mukherjee & Anr.
Vs
KMC & Ors.**

Mr. Supriyo Ghosh
Ms. Susmita Adhikary
...for the petitioners

Mr. N C Behani, Sr. Adv.
Ms. Tanushree Dasgupta
...for KMC
Mr. Santanu Kr. Mitra, Sr. Adv.
Mr. Amartya Pal
...for the State

Mr. Uday Sasnkar Bhattacharyya
Ms. Sudeshna Basu Thakur
Ms. Banani Bhattacharya
Ms. Upasana Das
...for respondent nos. 8 & 9

1. The petitioners have preferred the present writ petition, being aggrieved by the inaction on the part of the respondent authority in not taking any steps against the alleged illegal and unauthorized construction carried out at premises no. 4G, Baishnabghata Bye Lane, PS Netaji Nagar, Kolkata, at the instance of the private respondent.

2. It is the case of the petitioners that petitioner no. 1 is the owner of the aforementioned premises. Due to her old aged illness, she is presently residing with petitioner no. 2 at her residence at Bally, Howrah. However, in the meantime the private respondent has allegedly encroached upon the petitioners' land and is carrying out the illegal and

unauthorized construction thereon. It came to the knowledge of the petitioners that the private respondent had obtained a sanctioned plan for premises no. 1 Baishnabghata Bye Lane but has been carrying out construction at premises no. 4G, Baishnabghata Bye Lane. The petitioners contend that the said construction is wholly illegal, as it is being carried out on their plot of land, while the sanctioned plan pertains to 1, Baishnabghata Bye Lane and not 4G, Baishnabghata Bye Lane.

3. Learned Counsel for the respondent corporation submits that the corporation is ready and willing to consider the petitioners' representation dated 15.9.2025.

4. Learned counsel for the petitioners submits that the petitioner shall be satisfied if the same is decided within a time bound manner.

5. In view of the aforesaid submission, the present writ petition is disposed of with a direction to the respondent corporation to decide the petitioners' representation dated 15.09.2025 within a period of eight weeks from the date communication of this order after affording an opportunity of personal hearing to the petitioners as well as the private respondents or any other stakeholder, by way of a speaking order.

6. With the aforesaid observation, the present writ petition is disposed of.

7. Since the writ petition is disposed of at motion stage and parties have not filed affidavit-in-opposition, all allegations made in the application are deemed to have been denied.

(Gaurang Kanth, J.)