

13.11.2025
Court No.03.
AD.10
(pp)

WPA 24166 of 2025

Basirul Islam Molla

-Vs.-

The State of West Bengal & Ors.

Mr. Asif Hussain,
Mr. Arijit Ghosh,
Mr. Rahul Modak,
Ms. Taniya Khatun

...for the petitioner.

Ms. Parna Roy Chowdhury,
Ms. Richa Pramanik

....for the State.

Mr. Debjit Mukherjee,
Ms. Priyanka Jana

....for KMC.

1. Affidavit of service filed in Court today is taken on record.
2. It is a petitioner's case that he operates a small business establishment at Garden Reach. In and around his locality, two new buildings are being constructed at the following addresses:

- (1) "Gousia 3" at V 124/B. S.A. Farooquie Road,
Garden Reach, Metiabruz, Kolkata – 700018;
and
- (2) "Gousia Market" at U/100A/1, Karbala Road,
Garden Reach, Metiabruz, Kolkata – 700018,

which are ground with five upper floors, do not have any sanction. Although two complaints had been lodged with the municipal authorities, the last of which being lodged

on 2nd September, 2025, no steps have been taken by the municipal authorities.

3. Mr. Mukherjee, learned advocate appears on behalf of the municipal authorities.
4. Considering the gravity of the complaint, I am of the view that the municipal authorities must enquire into the matter and if on the basis of the enquiry it is found that the buildings are unauthorized, appropriate steps shall be taken under Section 401 of the Kolkata Municipal Act, 1980.
5. It is needless to note that the decision in this regard shall be taken by the municipal authorities upon giving opportunity of hearing to all interested parties within a period of eight weeks from the date of communication of this order.
6. The writ petition stands disposed of accordingly.
7. Urgent photostat certified copy of this order, if applied for, be given to the parties upon compliance of all necessary formalities.

(Raja Basu Chowdhury, J.)