

03/10/2025
Ct. No. 6
ADSL – 1
(Vacation Bench)
SM/SK

WPA 23824 of 2025

Abdul Kashem Mullick
Vs.
Kolkata Municipal Corporation & Ors.

Mr. Sumitava Chakraborty
Ms. Bratati Pramanick
.....for the petitioner
Mr. Vimal Kr. Shah
Ms. Gulnaz Quraishi
.....for the KMC.

1. Affidavit of service filed in Court today is taken on record.
2. Learned advocate for the petitioner and the learned advocate for the respondents are present.
3. Heard the learned advocates for the parties.
4. The petitioner in the instant case has challenged the notice issued under Section 401 of the Kolkata Municipal Corporation Act, 1980 marked at annexure P-2 of the writ application by the said notice the Corporation Authority has directed to stop the construction work.
5. It is the contention of the petitioner that the petitioner is performing the work as per the

sanctioned plan which is disputed by the Corporation Authorities.

6. As the representation is made to the Special Officer (Building), Kolkata Municipal Corporation, marked annexure P-3 to the writ application. This writ application can be disposed of by directing the Corporation Authorities to consider the representation made by the writ petitioner in annexure P-3 to the writ application.
7. Thus, the respondent no. 4 is directed to consider and decide the representation made by the writ petitioner marked annexure P-3 to the writ petition within a period of five weeks from the date of communication of this order and upon giving the writ petitioner or his learned advocate an opportunity of being heard.
8. The writ petitioner during the pendency of the hearing before the respondent shall not make any construction on the building and the respondent authority will also not take any coercive steps against the petitioner.
9. Accordingly, the writ petition stands disposed of.

10. All parties shall act on the basis of the server copy of this order duly downloaded from the official website of this Court.

(Biswaroop Chowdhury, J)