

18.12.2025
sayandeep
Sl. No. 19
Ct. No. 03

WPA 27503 of 2025

Suraj Kumar Soni & ors.
Vs.
The KMC & ors.

Mr. Saikat Basu
Mr. Surajit Maity
Ms. Trisha Dutta

..... for the petitioners

Mr. Srijan Nayak
Mr. Dipankar Ghosh

..... for the KMC

Mr. Gourav Das

..... for the State

Mr. Saptansu Basu
Mr. Swaraj Shaw

..... for the respondent Nos. 5 & 6

1. The petitioners are aggrieved by construction undertaken at premises No. 56 Burtolla Street, Kolkata 700007. The petitioners claim to be the adjacent property owners. According to the petitioners, the construction is continuing without any sanctioned building permit.
2. Mr. Basu, learned senior advocate appears for the private respondent Nos. 5 and 6. He submits that the construction that is going on in premises No. 56 Burtolla Street, Kolkata 700007 is in accordance with KMC Act, 1980 and the Rules framed thereunder. According to him, a plan for reconstruction/rebuilding has already been sanctioned by the municipal authorities on 31st January, 2024. According to him, there is no illegality committed by the respondent Nos.

5 and 6. The writ petition is harassive and it should be dismissed.

3. Mr. Nayak, learned advocate appears for the municipality. He submits on instruction that there is a subsisting reconstruction plan which has been approved by the municipal authorities. He, however, cannot verify at this stage as to whether the construction is in accordance with such plan.
4. Having heard the learned advocates appearing for the respective parties and noting that a construction is going on at premises No. 56 Burtolla Street, Kolkata 700007 with the sanction of the municipal authorities, I am of the view no interference is called for at this stage. However, the aforesaid order shall not impede upon the rights of the municipal authorities to carry out an inspection for ensuring that the building that is coming up is in accordance with the sanctioned plan.
5. With the above observations and directions, the writ petition is disposed of.

(Raja Basu Chowdhury, J.)