

30-05-2025
Item No.12
Subrata
Bhattacharyya
AR(C)

IN THE HIGH COURT AT CALCUTTA

Constitutional Writ Jurisdiction
Appellate Side

WPA No.29465 of 2024

Shams Tabrez

-vs-

The State of West Bengal & Ors.

Mr. Rishab Ahmed Khan
Mr. Aman Jiswara ...for the petitioner

Ms. Sipra Mazumdar
Ms. Prativa Ghatak ...for the State

Mr. Vimal Kumar Shahi
Ms. Ina Bhattacharya ...for the Corporation

Mr. S.A. Moqued
Mr. Numan Shah ...for the private respondent

The petitioner alleges that the private respondent has been making construction illegally, in violation of the applicable building regulations of the Kolkata Municipal Corporation. He submits that this matter was brought to the notice of the Corporation. However, despite receipt of such application from the petitioner, no effective steps have been taken by the Corporation.

Mr. Saha, learned counsel for the Corporation, submits that upon receipt of the application, the Corporation conducted an inquiry which revealed that the private respondent had undertaken illegal construction. Accordingly, steps have been taken to demolish the unauthorized structure. He further submits that two dates have been scheduled for the demolition, i.e., the 13th and 14th of June, 2025.

Learned counsel for the private respondent submits that the structure has been constructed in accordance with the sanctioned plan.

Learned counsel for the State submits that if the Corporation seeks police assistance in carrying out the demolition order, such assistance shall be rendered by the State.

The report produced by the State is taken on record.

A copy of the report filed by the State, as well as a copy of the report filed by the Corporation, have been handed over to the learned counsel for the petitioner.

Taking note of the submission made on behalf of the Corporation, I find no ground for further interference in this writ petition.

Accordingly, the writ petition is dismissed. However, no order as to the costs.

All parties are directed to act on the server copy of this order, duly downloaded from the official website of this Court.

Certified copy of this order, if applied for, shall be made available to the parties.

[Partha Sarathi Chatterjee, J]

