

OD-8

ORDER SHEET

WPO/6/2025
IN THE HIGH COURT AT CALCUTTA
Constitutional Writ Jurisdiction
ORIGINAL SIDE

SUPARNA DAS CHOWDHURY
Vs
KOLKATA MUNICIPAL CORPORATION AND ORS.

BEFORE:
The Hon'ble JUSTICE KAUSIK CHANDA
Date : 22nd January, 2025

Appearance:

Mr. Tarique Quasimuddin, Adv.
Ms. Zainab Tahir, Adv.
Md. Shahnawaz Alam, Adv.
...for the petitioner

Mr. Debjit Mukherjee, Adv.
Ms. Susmita Chatterjee, Adv.
...for the State

Mr. Sandipan Banerjee, Adv.
Mr. Swapan Kr. Debnath, Adv.
...for KMC

The Court: The petitioner alleges unauthorised construction at Premises No. 3/1A, Bibi Bagan Lane, Ward No. 56, Borough VII, under the jurisdiction of the Kolkata Municipal Corporation, purportedly carried out at the behest of a promoter appointed by her. However, the petitioner submits that she has subsequently cancelled both the development agreement and the power of attorney previously executed in favour of the promoter.

The Corporation submits that a stop-work notice concerning the unauthorised construction was issued on August 25, 2018, and that proceedings have been initiated under Section 400(1) of the Kolkata Municipal Corporation Act, 1980.

In light of the foregoing, I am not inclined to keep this writ petition pending. Accordingly, I dispose of WPO/6/2025 with the direction that the Corporation conclude the proceedings initiated under Section 400(1) of the Kolkata Municipal Corporation Act, 1980, granting due opportunity for hearing to all concerned parties, including the promoter, within a period of three months from the date of this order. The Corporation shall also ensure that no unauthorised construction takes place, and that Respondent No. 7 refrains from creating any third-party interests in relation to the building in question during this period.

The Officer-in-Charge of Entally Police Station is directed to provide any necessary assistance to the Corporation for the implementation of this order.

(KAUSIK CHANDA, J.)