

OD-02

WPO/70/2025
THE HIGH COURT AT CALCUTTA
CONSTITUTIONAL WRIT JURISDICTION
ORIGINAL SIDE

Reshma Hossain
Versus
State of West Bengal & Ors.

Before:
The Hon'ble JUSTICE RAJA BASU CHOWDHURY
Date: 20th November 2025

Appearance:
Mr. Somnath Gangopadhyay, Advocate
for the petitioner

Mr. Gurudas Mitra, Advocate
Ms. Manisha Nath, Advocate
for the KMC

The Court: The instant writ petition has been filed praying for implementation of the order of demolition dated 23rd March 2022, passed by the Special Officer (Building) of the Kolkata Municipal Corporation for demolition of unauthorised structure situated at premises no.76/1 (Old) 76/2 (New), Taltala Lane, P.S. Taltala, Kolkata – 700013.

The municipal authorities have since filed a report dated 12th March 2025 and have stated that an appeal is pending before the Municipal Building Tribunal vide Appeal No.37/2023 by the person responsible. The report further records that no order of stay has been passed by the Tribunal and the date for demolition had been fixed on 24th September 2024. Learned advocate representing the municipal authorities would, however, submit that since the writ petition has

been filed, no further steps have been taken in connection with the above demolition case.

Having heard the learned advocates representing the respective parties, I am of the view that since the municipal authorities have already proceeded with the matter, there is no cause for the petitioner to be aggrieved by such action, however, there appears to be no clarity as to what happened after 24th September 2024, and noting that a demolition order has been passed, I am of the view that such order should be implemented, subject to, however, outcome of the appeal vide Appeal No.37/2023.

At this stage, though learned advocate representing the petitioner seeks leave to participate in the pending appeal before the building tribunal, I am of the view that there is no cause to accede to such prayer, since no application has been filed by the petitioner before the building tribunal seeking leave to file appeal.

The writ petition accordingly stands disposed of.

(RAJA BASU CHOWDHURY, J.)