

OD-12

ORDER SHEET

WPO No.198 of 2025
IN THE HIGH COURT AT CALCUTTA
Constitutional Writ Jurisdiction
ORIGINAL SIDE

PRAMANAND PLAZA PRIVATE LIMITED & ANR.
VS
THE KOLKATA MUNICIPAL CORPORATION & ORS.

BEFORE:

The Hon'ble JUSTICE GAURANG KANTH

Date: 15th May, 2025.

Appearance:

Mr. P. S. Deb Barman, Adv.
Ms. Debangana Dey Nayak, Adv.
...for the Petitioners.

Mr. Alak Kumar Ghosh, Adv.
Mr. Swapan Kumar Debnath, Adv.
...for KMC.

The Court:- The present writ petition has been filed by the petitioners aggrieved by the inaction of the Kolkata Municipal Corporation (KMC) in not considering their application dated 5th February, 2025, seeking permission to erect a temporary tin shed, partly on the roof of the second floor and partly on the top of the third floor of the premises situated at No. 81, Netaji Subhas Road, Police Station- Burrabazar, Borough-V, Ward No. 45, Kolkata -700001.

It is the case of the petitioners that Petitioner No.1 became the absolute owner of the said premises, comprising an area of 23 Cottah, 2 Chittacks, and 15 Sq. Ft., along with an existing B+G+III storied building, known as 'Century Plaza', by virtue of a registered deed of conveyance.

Subsequently, an application for mutation was made and KMC duly mutated the name of Petitioner No. 1 as the owner on 21st February, 2025.

Thereafter, with an intention to construct the said temporary shed, Petitioner No. 1 submitted a formal application to the Executive Engineer (Civil), Building Department, Borough V, KMC, on 5th February, 2025, enclosing the proposed building plan and all requisite documents. A Structural Stability Certificate dated 3rd March, 2025, was also issued by a structural engineer of KMC, affirming that the existing building can bear all probable loads including the proposed additional construction.

Despite the passage of time, the petitioners' representation remains unaddressed by the respondent authority. Hence, the petitioners have approached this Court seeking a direction for expeditious consideration of their representation.

Learned Counsel for the respondent-Kolkata Municipal Corporation Mr. Alak Kumar Ghosh submits that they have still not considered the petitioners' representation dated 5th February, 2025. He further submits that the authorities are ready and willing to consider the said representation of the petitioners'.

The petitioners have preferred the present writ petition solely seeking a direction for consideration of the petitioners' representation dated 5th February, 2025. In view of the aforesaid submissions and having regard to the limited

nature of relief sought in the present writ petition, this Court is of the considered view that the ends of justice would be met if a direction is issued to the respondent-Kolkata Municipal Corporation to expeditiously consider the petitioners' pending representation.

Accordingly, the respondent-Kolkata Municipal Corporation is directed to decide the petitioners' representation dated 5th February, 2025, within a period of four weeks from the date of communication of this order after affording an opportunity of personal hearing to the petitioner and by passing a speaking order.

With the above direction, the writ petition stands disposed of.

(GAURANG KANTH, J.)

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