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IN THE HIGH COURT AT CALCUTTA
CONSTITUTIONAL WRIT JURISDICTION
ORIGINAL SIDE

WPO/241/2025
LA MARTINIERE SCHOOL FOR GIRLS AND ORS.
VS
KOLKATA MUNICIPAL CORPORATION AND ORS.

BEFORE
HON'BLE JUSTICE GAURANG KANTH
Date: JULY 10, 2025.

Appearance :
Mr. Sankalp Narain, Adv.(VC)
Mr. B.P. Tiwari, Adv.
Ms. Debjani Sengupta, Adv.
Mr. Amitava Moitra, Adv.
Ms. Shrayashee Das, Adv.
Mr. Rohan Kumar Thakur, Adv.
Mr. Tridibesh Dasgupta, Adv.
...for petitioners
Mr. Alak Kumar Ghosh, Adv.
Mr. Swapan Kumar Debnath, Adv.
....for K.M.C.

1. The Court:- Supplementary affidavit filed on behalf of the Petitioner is taken on record.
2. The petitioners have preferred the present writ petition being aggrieved by inaction of the respondent Corporation in not granting permission to the petitioners for construction of G+7 storied building at petitioner no. 1's institution situated at 14, Sarojini Naidu Sarini, Police Station Shakespeare Sarini Kolkata 700017, Ward No. 63 Borough -VII of the Kolkata Municipal Corporation.

3. It is the case of the petitioners that, pursuant to a resolution passed by the Board of Governors, they submitted applications for sanction of a building plan for a G+7 storied structure, dated 28th May, 2015 and 10th July, 2018, respectively. The petitioners contend that, despite having complied with all requisite formalities, the respondent Corporation has failed to accord sanction to the said building plan till date.
4. Learned Counsel for the respondent, Mr. Alak Kumar Ghosh, submits that the petitioners have not submitted all the requisite documents and plans to the satisfaction of the respondent authorities. He further submits that, upon submission of all necessary documents along with the sanctioned building plan, the respondent shall consider the same within a period of twelve weeks from the date of such submission, in accordance with the applicable statutes, building bye-laws, and rules, and subject to the satisfaction of the competent authorities.
5. Learned Counsel for the petitioners submits that the petitioners shall furnish a duplicate copy of all relevant plans and necessary documents to the respondent Corporation within a period of two weeks from today, so as to facilitate the Corporation's decision-making process within the time frame stipulated by this Court.
6. In view of the above submissions, the present writ petition stands disposed of with a direction upon the respondent Corporation to consider and take a reasoned decision on the petitioner's

Applications dated 28.05.2015 and 10.07.2018 within a period of twelve weeks from the date of communication of this order. Such consideration shall be subject to the petitioners submitting all requisite documents and duplicate plans to the satisfaction of the respondent authorities within a period of two weeks from today. The respondent shall ensure that the matter is dealt with strictly in accordance with the applicable laws, rules, and building bye-laws.

7. It is clarified that this Court has not expressed any opinion on the merits of the petitioners' claim. The respondent authorities shall take an independent and reasoned decision strictly in accordance with law.
8. With the above direction, the present writ petition is disposed of.
9. Since the affidavits are not exchanged none of the allegations are deemed to have been admitted by the respondents.

(GAURANG KANTH, J.)

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