

OD-4

ORDER SHEET

WPO/640/2024

IN THE HIGH COURT AT CALCUTTA
Constitutional Writ Jurisdiction
ORIGINAL SIDE

SURAJIT DAS AND ORS.
Vs
THE KOLKATA MUNICIPAL CORPORATION & ORS.

BEFORE:
The Hon'ble JUSTICE KAUSIK CHANDA
Date : 8th January, 2025.

Appearance:

Mr. Siddhartha Banerjee, Adv.
Mr. Shaunak Ghosh, Adv.
Mr. Rajib Mullick, Adv.
Mr. Biswaroop Ghosh, Adv.
Ms. Divya Agarwal, Adv.
...for the petitioner

Mr. Sandipan Banerjee, Adv.
Mr. Dwijadas Chakraborty, Adv.
...for the KMC

Mr. Kaushik Dey, Adv.
Ms. Debjani Sengupta, Adv.
Ms. Paulomi Ghosh, Adv.
...for the respondent nos. 6 to 10

The Court: The report filed by the Special Officer only confirms the stand of the Corporation taken before this Court. The Special Officer's report categorically suggests that the construction was made in terms of the sanctioned plan granted by the Corporation.

Mr. Banerjee, learned advocate appearing for the petitioner, however, submits that such a sanctioned plan could not have been granted by the Corporation since the relevant property is a thika property. He also submits that there is a deviation from the sanctioned plan.

Since the Corporation as also the Special Officer appointed by this Court are of the clear opinion that there is no deviation of the sanctioned plan, I do not accept the argument of Mr. Banerjee.

The Special Officer shall make over a copy of the sanctioned plan to the petitioner for taking steps in accordance with law.

The Special Officer is discharged.

WPO/640/2024 is, accordingly, disposed of.

(KAUSIK CHANDA, J.)

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