

OD- 5

IN THE HIGH COURT AT CALCUTTA
CONSTITUTIONAL WRIT JURISDICTION
ORIGINAL SIDE.

WPO/528/2025

ALOKESH GANGULY
VS
MUNICIPAL COMMISSIONER,
KOLKATA MUNICIPAL CORPORATION AND ORS.

BEFORE
THE HON'BLE JUSTICE RAJA BASU CHOWDHURY
Date: 11th November, 2025

Appearance:
Mr. Abhijit Ray, Adv.
Mr. Santu Nandy, Adv.
...for the petitioners
Mr. Gopal Chandra Das, Adv.
Ms. Sushmita Chatterjee, Adv.
....for the KMC

1. The present writ petition has been filed, inter alia, praying for a direction upon the municipal authorities to consider the petitioner's representations dated 21.01.2025, 22.02.2025, 19.03.2025, 17.04.2025, 11.06.2025 and 14.06.2025.
2. The petitioner is the owner of premises no.3A, Ganguly Lane, P.S. - Posta, Kolkata – 7000 007 and had obtained a reconstruction plan dated 1st February, 2023 which was valid upto 31st January, 2025.
3. According to the petitioner, since a civil litigation was pending in respect of the said premises, the petitioner could not carry out any construction work during the validity of the sanctioned plan. Subsequently, an application was filed for revalidation of the sanction plan.
4. Having heard learned Advocate representing the parties and considering the materials on record, I find that though the provision of Section 399 of the Kolkata Municipal Corporation Act, 1980, inter alia, authorises the Municipal Commissioner to allow extension of the original period of sanction, however, in the instant case, no application has been filed before the Municipal Commissioner.

5. Having regard thereto, I am of the view that there is no scope to allow the petitioner's prayer.
6. The writ petition, accordingly, stands dismissed.
7. Dismissal of the aforesaid writ petition shall not stand in the way of the petitioner for making an appropriate application before the appropriate authority for revalidation/extension of sanction plan, if so advised.

(RAJA BASU CHOWDHURY, J.)

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