

ORDER SHEET
IN THE HIGH COURT AT CALCUTTA
Constitutional Writ Jurisdiction
ORIGINAL SIDE

WPO/1031/2024
SWAPAN BASAK
VS
THE KOLKATA MUNICIPAL MUNICIPAL CORPORATION AND OTHERS

BEFORE:
The Hon'ble JUSTICE GAURANG KANTH
Date: 10th April, 2025.

Appearance:

Mr. Supriya Dutta, Adv.
Mr. Suranjan Dutta, Adv.
...for the petitioner.

Mr. Alak Kr. Ghosh, Adv.
Ms. Manisha Nath, Adv.
...for the KMC.

Mr. Sabyasachi Mondal, Adv.
Mr. Manoj Malhotra, Adv.
...for the State.

Mr. Kallol Basu, Adv.
Mr. Nilanjan Pal, Adv.
Mr. Apalak Basu, Adv.
...for the private respondent.

The Court : The report filed by the KMC authorities be taken on record.

The present writ petition has been preferred alleging unauthorized construction on premises no. 17/1, Peary Mohan Sur Lane, ward no. 16, Kolkata-700006.

The petitioner alleges that unauthorized construction is being carried by the respondent nos. 2 and 3 without any sanctioned plan from the KMC Authority on the above-mentioned property.

Being deeply apprehensive about the infringement of the right, title and interest in the property the petitioner submitted a representation dated 29.05.2025, before the Municipal Corporation, earnestly requesting their

immediate intervention to halt the ongoing illegal and unauthorised construction over the said premises. Despite the said representation, no effective action was taken by the concerned statutory authorities to prevent the continuance of such unauthorised activity.

Mr. Ghosh, learned counsel for the respondent Corporation submits that the authorities are ready and willing to decide the petitioner's representation dated 29.05.2024.

Learned counsel for the petitioner states that his client shall be satisfied if his representation is decided within a time bound manner.

In view of the submissions, this Court directs the respondent Corporation to decide the petitioner's representation dated 29.05.2024 within a period of six weeks from the date of communication of this order after affording an opportunity of personal hearing to the petitioner as well as to the private respondents or any other interested party by way of a speaking order.

With the above direction, the present writ petition is disposed of.

Since affidavits have not been called for, the allegations made in the petition are deemed to have been denied.

(GAURANG KANTH, J.)