

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

WPO/1181/2024
SIMA LAHIRI
VS
THE STATE OF WEST BENGAL AND ORS

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

Appearance:

Mr. Raghunath Chakraborty, Adv.
Ms. Sonali Sengupta, Adv.
Mr. Supratik Shyamal, Adv.
...for the petitioner.

Mr. Biswajit Mukherjee, Adv.
Mrs. Sima Chakraborty, Adv.
...for the KMC.

Mr. Kushal Chatterjee, Adv.
Mr. Oishik Chatterjee, Adv.
...for respondent no. 11.

The Court : Affidavit of service filed in Court today be kept on record.

The present writ petition has been filed by the petitioner, raising a grievance that large-scale illegal and unauthorized construction is being carried out at premises No. 61/H/25, Mahesh Barik Lane, Kolkata-700014, allegedly at the instance of the private respondents

Learned counsel for the petitioner submits that large-scale illegal and unauthorized construction has been carried out at the behest of the private respondents on the aforementioned plot of land, without any sanctioned plan from the KMC authorities. The petitioner lodged complaints before various authorities, including the KMC, requesting them to take appropriate steps to stop the said illegal and unauthorized construction. However,

despite repeated complaints and representations, the construction work is still in progress, and no effective action has been taken by the concerned statutory authorities to prevent the continuance of such unauthorized activity.

Learned counsel for the respondent Corporation has handed over a copy of the report wherein it was stated that the Corporation has already issued a stop-work notice dated 07.09.2024 under Section 401 of the Kolkata Municipal Corporation Act, 1980, against the alleged unauthorized construction. A copy of the said notice has also been forwarded to the concerned police station for necessary action. Furthermore, demolition proceedings have been initiated under Section 401A of the Kolkata Municipal Corporation Act, 1980. Even the area of unauthorized construction has been duly measured.

A copy of the aforementioned report is handed over to the counsel for the petitioner who states that his client will be satisfied if the said proceeding is carried out in accordance with law within a time-bound manner.

Learned counsel for the respondent Corporation states that the authority shall carry out the demolition proceedings in accordance with law within a period of twelve weeks from the date of communication of this order.

Needless to mention that the local police station shall render necessary assistance in enforcing the stop work notice and ensuring compliance with the directions issued by the Corporation.

The present writ petition is disposed of in terms of the above direction.

Copy of the report be kept on record.

(GAURANG KANTH, J.)

KB
AR(CR)