

13.01.2026
Ct. 3
Item No.
ML 84
sayandeep

WPA 1177 of 2025

**Nasre Alam
Versus
KMC & Ors.**

Mr. D.N. Chatterjee
Mr. P. Sengupta

.... For the petitioner

Mr. Debjit Mukherjee
Ms. Susmita Chatterjee

....for the KMC

1. The learned advocate for the petitioner on instruction would submit that the petitioner does not wish to proceed with the instant writ petition.
2. Mr. Mukherjee, learned advocate appearing for the municipality would, however, submit by placing before this Court an inspection report that a 5 storied building has been constructed unauthorizedly and the same has been completed more than three years ago without any sanctioned building plan. In support of his aforesaid contention, a report dated 27th January, 2025 has been relied on. He would further submit that the municipal authorities have already taken note of the illegal construction at premises No. 17/2A/4, Dr. Suresh Chandra Banerjee Road, (Beliaghata Main Road), P.O. and P.S. Beliaghata, Kolkata 700010 and

have already initiated proceedings under the provisions of Section 400(1) of the KMC Act, 1980.

3. Having heard the learned advocates appearing for the parties and noting that a gross illegality has already been committed, this Court cannot turn up blind eye to the same. The prayer for withdrawal of the petition is accordingly rejected. Accordingly, this Court directs the municipal authorities to conclude the proceedings which have been initiated by the municipal authorities and bring the same to a logical conclusion as expeditiously as possible preferably within a period of 8 weeks from the date of communication of this order.
4. It is made clear that if no proceedings have till date been initiated, appropriate proceedings must be initiated by the municipal authorities to arrest any illegal construction and to remove the illegal construction in accordance with law within the period noted hereinabove.
5. With the above observations and directions, the writ petition is disposed of.

(Raja Basu Chowdhury, J.)