

17.02.2026
sayandeep
Sl. No. 22
Ct. No. 03

WPA 1332 of 2026

Mrs. Sharmita Bhattacharya
Vs.
The KMC & ors.

Mr. Jaydeep Acharya
Ms. Sanchari Upadhyay

..... for the petitioner

Mr. Biswajit Mukherjee
Mr. Gopal Chandra Das

..... for the KMC

1. The affidavit-of-service filed in Court today is taken on record.
2. The petitioner would submit that although the petitioner had attempted service on the respondents including the private respondents, the service on the private respondent Nos. 8 to 11 have been returned with the postal endorsement unclaimed. The petitioner would complain that although pursuant to the order dated 1st May, 2023 passed by a co-ordinate Bench of this Court in WPA 8503 of 2022, the municipal authorities had proceeded and an order has been passed by the Special Officer Building on 3rd June, 2023 pertaining to demolition proceedings under Sections 401 and 416 in respect of premises No. 9/3/1/A Hatibagan Road, Ward No. 59, Borough VII in demolition case No. D-69/VII/22-23, the said order is yet to be implemented. Though, the private respondents are not represented, however, having heard the learned advocates appearing for the

respective parties and considering the materials on record, I am of the view that if the municipal authorities have passed an order, it is for the municipal authorities to implement the same. Accordingly the writ petition is disposed of with a direction upon the municipal authorities to ensure compliance of the order in accordance with law unless there be no impediment in implementing the same. The process to implement should start within two weeks from the date of communication of this order.

3. With the above observations and directions, the writ petition is dispose of.

(Raja Basu Chowdhury, J.)