

13.01.2026
ML- 96
AMR
Ct.No.03

WPA 1356 of 2025

Bakul Pal

-vs.-

The State of West Bengal & Ors.

Mr. Debopriyo Karan
Mr. Debojyoti Karan
Mr. Souvik Naiyn

...for the Petitioner

Mr. Srijan Nayak
Ms. Rituparna Maitra

...for the KMC

Mr. Biswajit Das (via V.C)
Mr. Sabyasachi Bhattacharjee

...for the State

1. Affidavit of service filed by the petitioner is taken on record.
2. The present writ petition has been filed complaining unauthorized construction at KMC premises no. 240, Purba Phulbagan and Phulbagan Road, having mailing address at 54/10, Phulbagan Road, Kolkata-700 086 and the failure on the part of the Municipal Authorities to take steps on the basis of the complaint made by the petitioner on 12th September, 2024
3. Mr. Nayak, learned advocate, appears on behalf of the Municipality and has placed before this Court a

report prepared by the Executive Engineer (Civil), Building Department, Borough-XII, Kolkata Municipal Corporation. The said report is taken on record.

4. He would submit that consequent upon receipt of the aforesaid complaint, the Municipal Building Department had inspected the site and issued stop work notice for the illegal construction, under Section 401 of the Kolkata Municipal Corporation Act, 1980 (hereinafter referred to as the '**Act**'), on 25th January, 2025.

5. The report further reveals that the proceedings under Section 400 of the Kolkata Municipal Corporation Act has already been started.

6. Though the private respondents are not represented, I am of the view that at this stage noting from the report filed by the Municipal Authorities that a proceeding has already been initiated under Section 400 of the said Act, and a stop work notice has already been issued, in my view it shall only be appropriate to direct the Municipal Authorities to bring the aforesaid proceeding initiated by them to a logical conclusion as expeditiously as possible, preferably within a period of 12 weeks from the date of communication of this order.

7. The Municipal Authorities must ensure that no further illegal and/or unauthorized construction takes

place. If the Municipal Authorities are of the view that the Police assistance is required, the Officer-in-Charge of the local Police Station shall render adequate assistance to the Municipal Authorities.

8. Since no affidavit in opposition is called for, the allegations made in the writ petition are deemed not to have been admitted by the respondents.

9. With the above observation, the writ petition is **disposed of**.

10. All parties are act on the basis of a copy of this order duly downloaded from the official website of this Court.

(Raja Basu Chowdhury, J.)