

01.07.2026
M/L No.125
Court No.12
(gc)

**FMA 163 of 2026
CAN 1 of 2026**

**Saba Reyaz & Ors.
Vs.
The Kolkata Municipal Corporation & Ors.**

Mr. Tarique Quasimuddin,
Mrs. Zainab Tahur

... for the Appellants.

Mr. Alok Kr. Ghosh,
Ms. Manisha Nath

... for the KMC.

1. We are not inclined to interfere with the order impugned. We find that the reasonings of the learned Judge for imposition of cost seem to be legitimate and logical.
2. Upon considering the law and the steps which were taken by the Kolkata Municipal Corporation with regard to the unauthorized construction and the orders passed by the Division Bench, His Lordship was of the view that the writ petition was not entertainable, in view of gross suppression of material facts.
3. Thus, cost of Rs.5,00,000/- was imposed and was directed to be paid by the appellants to the Calcutta High Court Legal Services Committee. We are of the view that, the cost should be reduced to Rs.50,000/-. Rs.5,00,000/- is excessive. However, the writ

petitioners, upon realizing the weaknesses in their case, had wanted to withdraw the same.

4. Under such circumstances, the appeal and the connected application are disposed of.
5. Urgent Xerox certified copy of this order, if applied for, be given to the parties upon compliance of all necessary formalities.

(Shampa Sarkar, J.)

(Smita Das De, J.)