

25.02.2026
sayandeep
Sl. No. 07
Ct. No. 03

WPA 2539 of 2026

Abdul Quadir
Vs.
The State of West Bengal & ors.

Mrs. Jeenia Rudra
Mr. Amir Parwez
..... for the petitioner

Mr. Biswajit Mukherjee
Mr. Sundar Gopal Bhattacharyya
.... For the KMC

Mr. M.P. Chakraborty
..... for the State

1. The present writ petition has been filed complaining illegal and unauthorized construction at premises No. 9 Dent Mission Road, Ward No. 77, Kolkata. Today, it is submitted by the learned advocate representing the petitioner by placing before this Court the communication dated 8th February, 2026 that the petitioner does not wish to proceed with the instant writ petition.
2. Mr. Mukherjee, learned advocate representing the municipality on the other hand has placed before this Court a report dated 13th February, 2026 duly counter signed by the Executive Engineer (C), Building, Borough IX and would submit that a G+4 storied building has been constructed at the locale by encroaching the mandatory open space. Although, a stop work notice had been issued, despite such stop work notice, an additional floor had been constructed

over the G+4 storied structure. Following the above, a complaint was lodged under Section 401(A) of the KMC Act, 1980 (hereinafter referred to as the said Act) on 5th November, 2024. Let a copy of the report along with the documents as placed before this Court be retained on the file. Since the municipality has already proceeded in the matter, in my view, disposal of the writ petition cannot stand in the way of the municipality from taking further steps. The municipality is accordingly directed to complete the proceedings already initiated and file a detailed report in this regard before the learned Registrar General, of this Court within a period of 16 weeks from date.

3. Once such report is filed, the learned Registrar General shall attach the said report to the file.
4. With the above observations and directions, the writ petition is disposed of.

(Raja Basu Chowdhury, J.)