

06.05.2026.
Item No. 26.
Court No. 13
ap

CPAN 184 of 2026
In
M.A.T. No. 138 of 2025

Avik Banerjee
Versus
Shri Sumit Gupta, The Municipal Commissioner,
Kolkata Municipal Corporation

Mr. Probal Kumar Mukherjee, ld. Sr. Advocate,
Mr. Sounak Bhattacharya,
Mr. Sounak Mandal,
Mr. Abhirup Halder,
Mr. Anirban Saha Ray.

...For the appellant.

Mr. Srijan Nayak,
Mrs. Rituparna Maitra.

...For the alleged contemnor.

1. A report dated 4th May, 2026 signed by the Executive Engineer (Building), Borough-XII has been filed today. The same is kept with the record.
2. It appears from the said report that ground plus one structure was found by the Kolkata Municipal Corporation to have had a building plan of the year 1981 sanctioned by Jadavpur Municipality, which is now merged with the Kolkata Municipal Corporation.
3. In so far as the Galvanized Tin Structure is concerned, it appears that the same was initially illegal and without the sanction plan and was subsequently regularized by Kolkata Municipal Corporation in terms of their rules.
4. This Court, therefore, sees barring certain technicalities, the order dated 3rd November, 2025 has

been complied with. What, however, remains is an order of a Co-ordinate Bench of this Court dated 6th March, 2025 in the instant appeal had stipulated that any action of the Kolkata Municipal Corporation in respect of Galvanized Shed would not be given effect to without the leave of this Court.

5. Since the Kolkata Municipal Corporation claims that the regularization of the Galvanized Shed has been done in terms of the applicable Rules, this Court permits the same.

6. The aforesaid, however, shall not stand in the way of the appellant challenging the actions of the Kolkata Municipal Corporation in regularizing the Galvanized Tin Shed in accordance with law in an independent separate proceeding.

7. With the aforesaid liberties, CPAN 184 of 2026 shall stand disposed of.

8. Rules, if any, shall stand discharged.

9. There will be no order as to costs.

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

(Rajasekhar Mantha, J.)

(Rai Chattopadhyay, J.)

