

65. 24.03.2026.
Court No.03.
(Pritam)

WPA 4838 of 2026.

Krishnendu Basak.

-Vs.-

State of West Bengal & Ors.

Mr. Souvik Maji,
Mr. Koustav Seal,
Mr. Saikat Koley.

.....for the petitioner.

Mr. N.C. Bihani, Sr. Adv.,
Mrs. Ina Bhattacharyya.

.....for the KMC.

Ms. Rupsha Chakraborty,
Mr. Dwaipayan Sanyal.

....for the State.

Ms. Shalini Mukherjee.

.....for the respondent nos.7, 8 & 9.

1. Affidavit-of-service filed in Court today is taken on record.
2. The instant writ petition has been filed, *inter alia*, complaining illegal construction at premises No.14/2D, Nather Bagan Street, Kolkata - 700 005, Ward No.19, Borough – II. The petitioner also complains inaction on the part of the Kolkata Municipal Corporation (KMC) in not considering the petitioner's complaint.
3. The municipality is represented.

4. Mr. Bihani, learned senior advocate appearing for the Kolkata Municipal Corporation (KMC) has placed a before this Court a report issued by the Executive Engineer Building Department, Borough – II., KMC dated 18th March, 2026 and would submit that the KMC has carried out an inspection at the premises in question based on the complaint made by the petitioner. The inspection carried out on 9th January, 2026 would reveal that though the construction was being carried out more or less as per the sanctioned building plan, however, there are some deviations from the plan.
5. Accordingly, to stop further progress of unauthorized work, a stop work notice under Section 401 of the KMC Act, 1980 (hereinafter referred to as the “said Act”) has been issued on the person responsible.
6. Due intimation in this regard was also given to the police authorities. As per the above report, a demolition sketch and an infringement statement is in the process of being prepared and necessary action under Section 400 of the said Act is contemplated.
7. Having heard the learned advocates appearing for the respective parties and noting that the KMC has already acted on the basis of the complaint filed by the petitioner, I am of the view that it shall only be appropriate to direct the KMC to conclude the proceedings already initiated in accordance with law as

expeditiously as possible preferably within a period of 8 weeks from the date of communication of this order.

8. With the aforesaid observations and directions, the instant writ petition is disposed of.
9. Urgent Photostat certified copy of this order, if applied for, be supplied to the parties upon compliance of all formalities.

(Raja Basu Chowdhury, J.)