

30.03.2026

**DL-11
Ct. No. 03
Srimanta**

**In the High Court at Calcutta
Constitutional Writ Jurisdiction
Appellate Side**

WPA 5088 of 2026

**Riju Nandi & Ors.
-Vs.-
Kolkata Municipal Corporation & Ors.**

Mr. Siva Prasad Ghose,
Mrs. Neha Roy,
Mr. Sujit Sahoo

...for the petitioners.

Mr. Alok Kumar Ghosh,
Mr. Fazlul Haque

...for the Kolkata Municipal Corporation.

Ms. Munmun Tewary,
Mr. Sanatan Panja

...for the State.

1. Affidavit-of-service filed in Court today be taken on record.

2. Complaining inaction on the part of the Municipal Authorities to take steps as regards the complaint filed by the petitioners in relation to unauthorized construction being carried out at Premises No. 138/12, Narkeldanga Main Road, Ward No. 030, Br. -III, P.S.-Narkeldanga as also in respect of Premises No. B/138/H/11, Moulana Abul Kalam Azad Sarani previously known as

Narkeldanga Main Road, the instant writ petition has been filed.

3. The Municipality is represented and has placed before this Court a report duly countersigned amongst others by the Executive Engineer (C), Building, Br.-III, Kolkata Municipal Corporation dated 12.03.2026. In the said report, it is mentioned that Municipal Authorities had already carried out an inspection at the premises in question on 17th October, 2025 and had noted that the person responsible had constructed two storied R.C.C. building structure with raised column above second floor level. Following the above proceeding under Section 401 of the Kolkata Municipal Corporation Act, 1980 (in short the "said Act"), vide notice no. 185 dated 17th October, 2025 was served upon person responsible. The matter has been placed before the D.G.(Building) on 3rd November, 2025 and the file is under process.

4. Having heard the learned Advocates appearing for the respective parties and noting from the report filed by the Municipal Authorities in Court today which is taken on record, illegal construction has been raised. As such, I am of the view that Municipality should immediately take steps for initiating appropriate proceedings under Section

400 of the said Act. The Municipality must also ensure that no further illegal and unauthorized construction is carried out by the person responsible. In the process as aforesaid, the Municipality may also seek appropriate assistance from the Police Authorities. If such assistance is sought for, the concerned Police Station will render assistance to the Municipality.

5. It is expected that the proceedings to be initiated by the Municipality, shall be brought to a logical conclusion as expeditiously as possible preferably within a period of eight weeks from the date of communication of this order.

4. With the above observations and directions, the writ petition stands disposed of.

5. There shall be no order as to costs.

(Raja Basu Chowdhury, J.)