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Ct.3.

IN THE HIGH COURT AT CALCUTTA
CONSTITUTIONAL WRIT JURISDICTION
APPELLATE SIDE

WPA 5536 of 2026

Fida Hussain
Versus
The Kolkata Municipal Corporation & Ors.

Mr. Sourav Sen, Sr. Advocate
Mr. Debabrata Kundu
Mr. Indranil Roy Choudhuri
Ms. Subhangi Bhattacharya
... For the petitioner.

Mr. Biswajit Mukherjee
Ms. Sima Chakraborty
... For Kolkata Municipal Corporation.

Mr. Gautam Das
Mr. Altamas Kabir
... For the respondent nos. 7, 9-15 & 17.

1. Affidavit of service and the supplementary affidavit filed in Court are taken on record.
2. It appears that the petitioner is aggrieved by the failure on the part of the municipal authorities to decide on the petitioner's application under Section 397 of the Kolkata Municipal Corporation Act, 1980 (hereinafter referred to as the "said Act") for cancellation of the building plan dated 7th January, 2025.
3. Mr. Sen, learned senior advocate appearing for the petitioner has drawn attention of this Court to the application filed by the petitioner under Section 397 of the said Act dated 26th November, 2025 and would submit that the aforesaid application is yet to be heard.

4. The municipality as also the private respondent nos. 7, 9 to 15 and 17 are represented.

5. Having heard the learned advocates appearing for the respective parties and noting that an application under Section 397 of the said Act is pending before the Commissioner, Kolkata Municipal Corporation, forming Annexure- P5 to the writ petition, I am of the view that the same must be disposed of by the Commissioner, Kolkata Municipal Corporation in accordance with law on an expeditious basis, preferably within a period of eight weeks from the date of communication of this order by giving an opportunity of hearing to the interested parties and by passing a reasoned order.

6. With the above observations and directions, the writ petition is disposed of.

Urgent photostat certified copy of this order, if applied for be given to the parties upon compliance with the requisite formalities.

(Raja Basu Chowdhury, J.)