

09.06.2026
M/L 53
Ct No. 3
SG

WPA 6181 of 2026

**Saber Hossain
Vs
The Municipal Commissioner,
Kolkata Municipal Corporation & Ors.**

Mr. Shashwat Nayak,
Ms. Lovely Budia,
Ms. Sidhi Gupta.

...for the petitioner

Mr. Alak Kr. Ghosh,
Ms. Gulnaz Quraishi.

...for the KMC

1. Affidavit-of-service as filed today is taken on record.
2. Complaining inaction on the part of the Corporation and to resist illegal construction at premises no. B/50/H/6, Bright Street, Ward 65, KMC, Kolkata 700017 the instant writ petition has been filed.
3. The learned advocate representing the petitioner would submit that despite complaints being lodged by the petitioner, the illegal construction is being carried out at the above premises.
4. Mr. Ghosh, learned advocate representing the Corporation would submit that the Corporation has already taken steps on the basis of the complaint lodged by the petitioner. A stop work notice under the Section 401 of the Kolkata Municipal Corporation Act,

1980 (hereinafter referred as the 'said Act') has already been issued and police intimation has been sent to keep a strict vigil. He further submits that though there is a sanctioned plan, there are deviation which prompted the Corporation to take appropriate steps. Let a copy of the communication as received by the learned advocate as placed before this Court be taken on record.

5. Having heard the learned advocates appearing for the respective parties and noting that the Corporation has already taken action and initiated proceeding, I am of the view that no fruitful purpose would be served in keeping this writ petition pending.

6. Accordingly, the writ petition stands disposed of by directing the Corporation to conclude the proceeding already initiated by them in accordance with law and bring the same to a logical conclusion as expeditiously as possible preferably within 8 weeks from the date of communication of this order. Police authorities are directed to comply with the directives issued by the Corporation.

7. Since no affidavits have been called for from the respondents, the allegations made in the writ petition are deemed not to have been admitted by the respondents.

8. There shall be no order as to costs.
9. Let urgent Photostat certified copy of this order, if applied for, be supplied to the parties on usual undertaking.

(Raja Basu Chowdhury, J.)