

M/L 7-8
13.05.2026
sb
Ct.3.

IN THE HIGH COURT AT CALCUTTA
CONSTITUTIONAL WRIT JURISDICTION
APPELLATE SIDE

WPA 22458 of 2024

Abul Kalam
Versus
Kolkata Municipal Corporation & Ors.
With

WPA 7370 of 2026

M/s. Seven Point Motors Private Limited
Versus
Kolkata Municipal Corporation & Ors.

Mr. Arif Ali
Mr. Tridib Bose
Mr. Sourav Roy
Mr. H. Rahman

... For petitioner in WPA 22458
of 2024.

Mr. Biswajit Mukherjee
Ms. Dipanwita Ganguly
Ms. Tanusree Dey
... For KMC

Mr. Rahul Karmakar
Ms. Antalina Guha
... For the respondent no.7 in WPA
22458 of 2024 and the petitioner in
WPA 7370 of 2026

1. When the writ petition, being WPA 22458 of 2024 was moved for the first time on 2nd December, 2025, the municipality, despite service, did not cause appearance. Accordingly, this Court had directed Mr. Biswajit Mukherjee, learned advocate who usually appears on behalf of the Kolkata Municipal Corporation to take appropriate instruction.
2. On the subsequent date, i.e. on 16th December, 2025, it was urged on behalf of the municipality that

some more time is needed to file the status report. Accordingly, this Court directed the municipality to carry out an inspection concerning the illegal construction at premises no. 88, Park Street, P.S. Beniapukur, Kolkata – 700017, upon prior notice to the parties. This order was also not adhered to by the municipal authorities. Accordingly, this Court by an order dated 9th February, 2026, had directed the respondent no.5 to file an affidavit explaining the circumstances under which no steps had been taken by the Kolkata Municipal Corporation. It is only thereafter that the municipality had filed a report. The report notes amongst others the allegation of illegal construction at the behest of Ravi Sanei at the ground floor of the aforesaid premises and at the instance of Park Guest House. Notwithstanding the aforesaid, the said report vaguely indicated that a stop work notice has been issued under Section 400(1) of the Kolkata Municipal Corporation Act, 1980 (hereinafter referred to as the “said Act”) on 19th December, 2025. The details of the stop work notice were not disclosed. Only the intimation slip wherein the police authorities were intimated was disclosed in the report. On the prayer of the learned advocate for the municipality an additional report was permitted to be brought on record since according to the learned advocate for the municipality the explanation sought for by the previous order had not been provided in the said report.

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3. In the interregnum, another writ petition, being WPA 7370 of 2026 has been filed by one of the occupants of the said premises inter alia questioning the demolition notice.

4. By an order dated 31st March, 2026, this Court had stayed such demolition notice. The municipality has since filed a further report, which is taken on record, and would submit that the municipality is already proceeding against one of the occupants of the said premises namely, Ravi Sanei. The report, however, is conspicuously silent as regards the steps taken by the municipality against Park Guest House. Noting from the learned advocate representing the municipality that the municipality has already proceeded against Ravi Sanei, I am of the view that no fruitful purpose will be served in keeping the writ petition, being WPA 7370 of 2026, pending and the same stands disposed of with a direction upon the municipality to conclude the proceedings expeditiously, preferably within a period of two weeks from the date of communication of this order.

5. Insofar as Park Guest House is concerned, since the report filed by the municipality affirmed by the respondent no.5 dated 25th March, 2026 would demonstrate illegal construction, appropriate proceeding under the provisions of Kolkata Municipal Corporation Act shall be initiated within a week from date and the same shall be brought to a logical conclusion within four weeks thereafter.

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6. With the above observations and directions the writ petition, being WPA 22485 of 2024 also stands 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.)