D/L.132.
November 25, 2026.
KAUSHIK

WPA No. 10639 of 2026

Raju Nayak
Vs.
The Kolkata municipal Corporation & Ors.

Mr. Md. Shahjahan Hossain
Ms. Sanjida Sultana
Mr. P. Biswas
Mr. Sanwar Mullick
… for the petitioner

Ms. Susmita Chatterjee
Ms. Dipanwita Ganguly
… for the KMC

1. Affidavit of Service, as filed, be kept with the record.
2. None appears on behalf of the private respondent despite service having been effected.
3. KMC is represented.
4. Briefly, the case of the writ petitioner is that, at the behest of the private respondent, illegal and unauthorized construction is being carried out at premises no. 2, North Tangra (Dhapa Road), Ward No. 58. Due to the non-consideration of the representation, the instant writ petition has been filed.
5. Learned advocate appearing on behalf of the petitioner submits that, on repeated occasions, it has been

highlighted before the Kolkata Municipal Corporation (KMC) that there is a completely illegal and unauthorized construction at the behest of private respondents nos. 7 and 8, and that a huge unauthorized construction is being carried out at premises no. 2, North Tangra (Dhapa Road), Ward No. 58. As a result, on 16 April, 2026, the writ petitioner was compelled to file a fresh representation addressed to the Director General-II (Building), being respondent no. 3, but the same remains unattended.

6. Learned advocate, appearing on behalf of the KMC authority, submits, on her usual fairness, that the authority will make every possible effort to consider the representation within a reasonable period.

7. After considering the submissions of the respective parties, this writ petition may be disposed of by directing the respondent no. 3 to consider the representation dated 16 April, 2026, within twelve weeks from the date of communication of this order, after

affording an opportunity of hearing to all necessary and interested parties, and to pass a reasoned order. The order so passed shall be communicated to the parties three weeks thereafter.

8. Hence, the writ petition stands disposed of without any order as to costs.
9. However, this Court makes it clear that it has not gone into the merits of the case. The respondent No. 3 is at liberty to consider the same independently, strictly in accordance with law.
10. As the affidavits have not been called for by the parties, the allegations in the writ petition are deemed denied.
11. Parties to act on the basis of the server copy of this order.
12. Urgent: certified photostat server copy of this order to be supplied to the parties upon compliance with all necessary formalities.

(Atarup Banerjee, J.)