

**02.04.2026**

**DL-01  
Ct. No. 03  
Srimanta**

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

**WPA 11745 of 2025**

**Shriram Industries and Exports Private Limited  
-Vs.-  
The Kolkata Municipal Corporation & Ors.**

Mr. Soubhik Mitter,  
Ms. Rajnandini Das

...for the petitioner.

Mr. Srijan Nayak,  
Mr. Atis Kumar Biswas

...for the Kolkata Municipal Corporation.

1. The present writ petition has been filed praying for a direction upon the municipality to remove/demolish the pukka brick wall and the structure constructed by the municipality illegally and in an unauthorised manner in front of the main gate at the northern side of the premises situated at T-250, Garden Reach Road, Kolkata 700044.
2. Considering the case made out, this Court has directed the municipality to file a report.
3. Pursuant to the order dated 30<sup>th</sup> March, 2026 and 1<sup>st</sup> April, 2026 the Municipality has filed a report in Court today which is taken on record.

Upon going through the said report it is apparent that the Municipality has constructed a store room adjacent to the petitioner's property in front of a gate. Admittedly, no store room existed prior to its construction though Mr. Nayak, learned Advocate representing the Municipality would try to contend by relying on the report that the place where the store room has been constructed was originally meant for dumping of waste material in the open and that the gate was installed later.

4. Having heard the learned Advocates appearing for the respective parties, I do not find that the Municipal Authorities are attempting to use the store room as a place for dumping the waste material. Simply because there existed an old waste material dump yard, the same could not have authorised the municipality to set up the store room adjacent to the petitioner's property especially when the same seeks to interfere with the ingress and egress of the petitioner. The conduct of the Municipality in setting up the store room does not appear to be fair especially when valuable rights of the petitioner in the form of ingress and egress to the property is being interfered with. The petitioner also has a

right to the entire frontage of the property, and unrestricted access to the main road. Accordingly, I direct the Municipality to forthwith relocate the store room which has been constructed adjacent to the petitioner's property on the main road as it interferes with its ingress and egress of the petitioner to its property.

5. Mr. Nayak has also not been able to highlight any provision which authorizes the Municipality to interfere with the rights of the private individual without providing for compensation.
6. With the above observations and directions, the writ petition is disposed of.

**(Raja Basu Chowdhury, J.)**

**LATER**

7. After the order is pronounced, Mr. Nayak would submit that he wishes to file opposition. I am of the view that after hearing is complete and the order has been dictated, there is no scope to accede to his request.

**(Raja Basu Chowdhury, J.)**