

11.06.2026
Ct. 3
Item No.
AD 42
Saswata

WPA 12342 of 2026
Anirban Basu
Versus
The Kolkata Municipal Corporation & Ors.

Mr. Sanjay Mukherjee	
Mr. Souma Bhattacharya	
Mr. Atanu Bhattacharya	...For the petitioner
Mr. Sovan Mukherjee	
Mr. Arghya Chatterjee	...For the State
Mr. Alok Kr. Ghosh	
Mr. Dipankar Ghosh	...For the KMC

1. Affidavit of service filed in Court today is retained with the record.
2. Challenging a stop work notice issued under Section 401 of the Kolkata Municipal Act, 1980 dated 23rd May 2026, directing the petitioner to stop all construction works at 56A, Ajanta Road, Survey Park, Kolkata – 75, the instant writ petition has been filed.
3. Mr. Mukherjee, learned Senior Advocate appearing for the petitioner submits that although the petitioner has a sanctioned building plan, yet the municipal authorities have issued the aforesaid notice. According to him, though the petitioner has made a representation on 26th May 2026, calling upon the municipal authorities to revoke the said notice, the

municipal authorities have not bothered to take any further steps.

4. Mr. Ghosh, learned advocate appears on behalf of the municipal authorities.
5. By placing before this Court a reported dated 10th June 2026 duly countersigned by the Executive Engineer (B), KMC, Borough XI would submit that the construction carried on by the petitioner is without providing any side open space which was detected in course of an inspection. Accordingly, the stop work notice has been issued. Let a copy of the said report be retained with the record.
6. Having regard to the disclosure made, I am of the view that since the municipal authorities have detected illegal construction, they are directed to initiate and conclude the appropriate demolition proceedings on an expeditious basis preferably within a period of 8 weeks from the date of passing of this order in accordance with law.
7. With the above observation and direction, the writ petition is disposed of.
8. All parties shall act on the basis of the server copy of the order duly downloaded from this Court's official website.

(Raja Basu Chowdhury, J.)