

IN THE HIGH COURT AT CALCUTTA
CONSTITUTIONAL WRIT JURISDICTION
APPELLATE SIDE

WPA 17689 of 2025

Moyajjem Hossain Molla & ors.
Versus
The State of West Bengal & Ors.

Mr. Sounak Bhattacharyya
Ms. Bipasha Bhattacharyya
... For the petitioners.

Mr. Achintya Kr. Banerjee
Ms. Manisha Nath
...For Kolkata Municipal Corporation.

1. Complaining illegal construction at the behest of the respondent Nos. 5 to 9 and the failure on the part of the municipal authorities to take appropriate steps, the instant writ petition has been filed.
2. Mr. Banerjee, learned advocate appearing for the municipality has placed before this Court a report dated 16th May, 2026 and would submit that though a sanction was issued by the municipality, however, on the basis of the complaint received, the department has found that the construction is being carried out in deviation of the sanction building plan. A stop work notice has already been issued under Section 401 of the Kolkata Municipal Corporation Act, 1980 (hereinafter referred to as the said Act).

3. The report reveals that the department has already prepared a demolition sketch and infringement statement and the matter has been placed before the higher authority for appropriate steps. Noting that the municipality having already initiated proceedings by issuing notice under Section 401 of the said Act and the subsequent demolition proceedings, I am of the view that the municipality must bring such proceedings to a logical conclusion on an expeditious basis.
4. It is expected that the municipality shall conclude such proceedings within a period of 12 weeks from the date of communication of this order.
5. With the above observations and directions, the writ petition is disposed of.

(Raja Basu Chowdhury, J.)