

05.01.2026
M/L 16
Ct No. 3
SG

WPA 21677 of 2025

**Bijay Ray & Anr.
Vs
The Kolkata Municipal Corporation & Ors.**

Ms. Sonali Mukhopadhyay,
Ms. Arunika Dutta.

...for the petitioner

Mr. Biswajit Mukherjee,
Mr. N. Chatterjee.

...for KMC

1. Complaining illegal construction at the behest of the respondent no. 8, a complaint was lodged by the petitioner with the municipal authority. On the basis of such complaint not only a stop work notice under Section 401 of the Kolkata Municipal Corporation Act, 1980 but a proceeding was also initiated before the Special Officer (Building). Petitioner had initially participated in such proceeding however later petitioner had sought for a long adjournment.

2. It transpires that the Special Officer (Building) has already decided on the cause by passing an order dated 13.09.2025, inter alia, holding that the deviations are minor in nature and the area of unauthorized construction is 6.81 square meters.

3. Having regard to the disclosure made in Court today by Mr. Mukherjee, learned advocate for the KMC

that the decision has already been taken by the Special Officer (Building) on 13.09.2025, the copy of the same is taken on record, I am of the view no fruitful purpose will be served by keeping the writ petition pending. Accordingly, the writ petition stands dismissed. Dismissal of the above writ petition shall, however, not interfere with the rights of the petitioner to take recourse to the aforesaid order in accordance with law.

(Raja Basu Chowdhury, J.)