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Ct.3.

IN THE HIGH COURT AT CALCUTTA  
CONSTITUTIONAL WRIT JURISDICTION  
APPELLATE SIDE

**WPA 29313 of 2025**

Md. Ashfaque Ali  
Versus  
The Kolkata Municipal Corporation & Ors.

Mr. Bratin Kumar Dey  
Mr. A. Banerjee  
Mr. Subhankar Banerjee  
... For the petitioner

Mr. Debjit Mukherjee  
Ms. Priyanka Jana  
... For Kolkata Municipal Corporation

1. Affidavit of service filed in Court is taken on record.
2. Complaining illegal construction at premises no.161/H/1, Karaya Road, P.S. Beniapukur, ward no. 64, Borough-VII, Kolkata – 700 017, the instant writ petition has been filed.
3. Despite service, although the municipal corporation is represented the private respondents are not represented.
4. Having heard the learned advocates appearing for the respective parties and considering the fact that an allegation has been made as regards the illegal construction in a thika tenanted property without obtaining any sanctioned building plan, I am of the view that the municipal corporation must immediately enquire

into the matter by carrying out an inspection upon giving an opportunity of hearing to the parties and if on the basis of the inspection, illegal construction is noted, the municipal corporation shall forth with take steps in respect thereof, in accordance with law, and the proceeding to arrest the further illegal construction and or removal of the same shall be initiated and the same shall be brought to a logical conclusion as expeditiously as possible, preferably, within a period of eight weeks from the date of noting illegal construction if any. On the contrary if no illegal construction is noted the same shall be recorded by passing a reasoned order and no further steps shall be necessary.

5. Since no affidavit-in-opposition has been called for, the allegations made in the writ petition are deemed not to have been admitted by the appearing respondents.

6. With the above observations and directions, the writ petition is disposed of.

Urgent Photostat certified copy of this order, if applied for be given to the parties upon compliance with the requisite formalities.

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