

OD-02

WPO/125/2026
IN THE HIGH COURT AT CALCUTTA
CONSTITUTIONAL WRIT JURISDICTION
ORIGINAL SIDE

Anjana Shaw
Versus
The Municipal Commissioner & Ors.

Before:
The Hon'ble Justice RAJA BASU CHOWDHURY
Date: 25th March 2026

Appearance:
Mr. Rachit Lakhmani, Advocate
Mr. Shubham Gupta, Advocate
Mr. Anirban Ghosh, Advocate
Mr. Md. Ayaan, Advocate
Mr. Rajsekhar B. Bakshi, Advocate
for the petitioner

Mr. Alak Kr. Ghosh, Advocate
Mr. Swapan Kr. Debnath, Advocate
for the KMC

The Court: 1. The present writ petition has been filed, inter alia, calling upon the municipality to consider the petitioner's representation as regards the regularisation of minor deviation in respect of the premises no.17/1/1, Raja Lane, PS – Amherst Street, Kolkata 700009. The petitioner claims to have commenced construction on the basis of the sanctioned building plan duly sanctioned by the municipal authority.

2. Mr. Lakhmani, learned advocate representing the petitioner would submit that while the petitioner was carrying out the construction, all of a sudden a stop work notice has been served on the petitioner. The petitioner had since invited the municipal authorities to carry out an

inspection to note down deviation, if any. A representation in this regard has also been made.

3. Mr. Ghosh, learned advocate representing the municipal authority, on the other hand, would submit that 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”) and follow up action in furtherance to the stop work notice has also been taken up by the municipality and the matter has been placed before the higher authorities.

4. Having heard the learned advocates representing the respective parties and noting that since the municipality has already initiated an action and issued a stop work notice and since the petitioner was carrying out construction on the basis of the sanctioned building plan, I am of the view that it shall only be appropriate, at this stage, to direct the municipality to carry out an inspection and take follow up steps as may be necessary in furtherance thereto.

5. The writ petition accordingly stands disposed of.

(RAJA BASU CHOWDHURY, J.)