

ORDER SHEET

IN THE HIGH COURT AT CALCUTTA
Constitutional Writ Jurisdiction
ORIGINAL SIDE

WPO/148/2026

SHAMS WAKASH ANSARI
VS
THE KOLKATA MUNICIPAL CORPORATION AND OTHERS

BEFORE:

The Hon'ble JUSTICE RAJA BASU CHOWDHURY

Date : April 2, 2026.

Appearance:

Mr. Indrajit Bhattacharjee, Adv.

Mr. Sudip Naskar, Adv.

...for the petitioner

Mr. Sayan Sinha, Adv.

Mr. Adil Naser, Adv.

Mr. Nilanjan Bhattacharya, Adv.

...for the respondent no.6

Mr. Alak Kr. Ghosh, Adv.

Ms. Gulnaz Quraishi, Adv.

...for the KMC

1. Complaining inaction on the part of the Municipal Authorities in failing to arrest illegal construction of a G+III storied building at premises no. P-65, Garden Reach Road, P. S. Metiabruz, Kolkata-700 024, KMC Ward No.135, the instant writ petition has been filed.
2. The private respondent being respondent no.6 is represented in Court.
3. Learned advocate for the private respondent would submit that at present no construction is taking place at premises no. P-65, Garden

Reach Road, P. S. Metiabruz, Kolkata-700 024. According to him, it is the petitioner who is carrying on illegal construction at premises no. P-64, Garden Reach Road. He submits that multiple complaints in this regard have been lodged by the private respondent with the Municipal Authorities, first of such complaint was lodged on 24th January, 2026.

4. The Municipality is represented.
5. Having heard the learned advocates appearing for the respective parties, I am of the view that since complaints and counter complaints have been lodged by the petitioner and the respondent no.6, it shall be prudent at this stage to direct the Municipality to carry out inspection in respect of both the premises being premises no. P-64 and P-65, Garden Reach Road, P. S. Metiabruz, Kolkata-700 024 within Ward No.135.
6. If on the basis of the inspection to be carried out by the Municipality, any illegal construction is detected, in any of the aforesaid premises, the Municipality shall forthwith take appropriate steps to arrest the illegal construction at the first instance and subsequent thereto, initiate proceedings to deal with such unauthorised construction and bring the same to logical conclusion on an expeditious basis.
7. The entire process shall be completed within a period of six weeks from the date of communication of this order. It is made clear that Municipality must carry out inspection within a period of three days from the date of communication of this order.

8. Let the copy of the sanctioned plan as disclosed by the respondent no.6 in Court today may retain with the records.
9. With the above observation and direction, the writ petition stands disposed of.
10. There will be no order as to costs.

(RAJA BASU CHOWDHURY, J.)