

OD- 4

IN THE HIGH COURT AT CALCUTTA
CONSTITUTIONAL WRIT JURISDICTION
ORIGINAL SIDE

WPO/179/2026

DR. SAMIUL HAQUE
VS
KOLKATA MUNICIPAL CORPORATION AND ORS.

BEFORE
THE HON'BLE JUSTICE RAJA BASU CHOWDHURY
Date: 23rd April, 2026

Appearance:
Md. Farhaduddin, Adv.
....for the petitioner
Mr. Alak Kumar Ghosh, Adv.
Mr. Swapan Kumar Debnath, Adv.
....for the KMC

1. The present writ petition has been filed complaining illegal construction and obstruction. The writ petition is based on a notice issued under the West Bengal Premises Tenancy Act.
2. The petitioner claims to be a tenant in respect of the premises no.17, Damzen Lane, Kolkata – 700 073. According to the petitioner, the place where the petitioner is residing requires immediate repairs. The petitioner also claims that there is a reservoir within the petitioner's tenanted portion which should be removed.
3. The municipal authorities are represented though the private respondent remains unrepresented.
4. The affidavit of service filed in Court does not demonstrate that service has been effected on the private respondent.
5. Be that as it may, in response to a query from the Court, the learned Advocate for the petitioner submits that when the petitioner was inducted, the water reservoir was present.

6. Having regard thereto and noting from the submissions made by Mr. Ghosh that the building in question is an old building and the dispute between the parties appears to be landlord and tenant dispute, I am not inclined to entertain the writ petition.
7. The writ petition is, accordingly, dismissed.

(RAJA BASU CHOWDHURY, J.)

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