

OD-8

IN THE HIGH COURT AT CALCUTTA
Constitutional Writ Jurisdiction
ORIGINAL SIDE

WPO/240/2026

MRS. SABIHA YASMIN AND ORS.
VS
THE KOLKATA MUNICIPAL CORPORATION AND ORS.

BEFORE:

The Hon'ble JUSTICE RAJA BASU CHOWDHURY

Date : 11th June, 2026.

Appearance:

Ms. Ujjaini Chatterjee, Adv.

Mr. Siddharta Basu, Adv.

Ms. Garima Raijada, Adv.

...for the petitioners

Mr. Sandipan Banerjee, Adv.

Mr. Swapan Kumar Debnath, Adv.

...for K.M.C.

Mr. Nand Gopal Khaitan, Adv.

Mr. Anujit Mukherjee, Adv.

Mr. Saptarshi Mandal, Adv.

...for State.

1. Although the writ petition has been filed for a direction upon the municipal authorities to cancel the report dated 28th April, 2026 and for a direction upon the respondents not to take any further steps in furtherance to the demolition order dated 30th August, 2019 which is a order passed by the Special Officer (Building) in Demolition Case No. 112/Br-V/07-08 & 33-D/Br-V/16/17 in respect of the 6th and 7th floor of premises no. 66A, Collutalla Street now Maulana Shawet Ali Street,

Kolkata-700073, now, the learned Advocate for the petitioner would submit that the Municipal Building Tribunal on 12th May, 2026 by order no. 36 while fixing the application for limitation i.e. for condonation of delay and at the stay application, for hearing, had directed that no coercive measure would be taken in respect of the premises in question in the meantime.

2. Having heard the learned Advocates appearing for the respective parties, I find having regard to the order passed by the tribunal, though, there is no appeal in the eye of law inasmuch as the delay is yet to be condoned, however, since the petitioner has already approached the Municipal Building Tribunal challenging the demolition order, in my view, there is no scope to entertain the writ petition.
3. Accordingly, the writ petition is dismissed.
4. Let the copy of the order passed by the Tribunal as placed before this Court by the learned Advocate for the petitioner, be kept on record.

(RAJA BASU CHOWDHURY, J.)