

OD-04

WPO/627/2025
IN THE HIGH COURT AT CALCUTTA
CONSTITUTIONAL WRIT JURISDICTION
ORIGINAL SIDE

Koushik Daw & Ors.
Versus
The Kolkata Municipal Corporation & Ors.

Before:
The Hon'ble Justice RAJA BASU CHOWDHURY
Date: 5th March 2026

Appearance:
Mr. Sakya Sen, Sr. Advocate
Mr. Sormi Dutta, Advocate
for the petitioner

Mr. Alak Kr. Ghosh, Advocate
Mrs. Sima Chakraborty, Advocate
for the KMC

The Court: 1. The present writ petition has been filed for a direction upon the municipality to, in effect, demolish the illegal construction at the behest of the respondent no.6.

2. Pursuant to the order dated 18th December 2025 a report has been filed by the municipality. Let the same be taken on record.

3. From the aforesaid report, it would transpire that the Special Officer (Building), Kolkata Municipal Corporation has already passed an order dated 2nd January 2026 in Demolition Case No. 20-D/IV/24-25 pertaining to the premises no.24A, Vivekananda Road, Ward – 25, Borough – IV, Kolkata. It would further transpire from the report that the aforesaid order has been sent to the Environment & Heritage Department for its view in this respect. The aforesaid order has also been sent by

speed post to the person responsible only on 25th February 2026. The statutory period of preferring the appeal is 30 days from the date of receiving the order. Accordingly, at this stage, the municipality may not be in a position to implement the same. However, once the statutory period for preferring the appeal is over and if there is no impediment in implementing the above order, the municipality shall implement the same in accordance with law.

4. It is made clear that this Court has not gone in to the merits of the order passed by the Special Officer (Building), K.M.C. on 2nd January 2026.

5. With the above observation, the writ petition stands disposed of.

(RAJA BASU CHOWDHURY, J.)

R. Bose