

IN THE HIGH COURT AT CALCUTTA
CONSTITUTIONAL WRIT JURISDICTION
ORIGINAL SIDE

WPO/701/2025

TUSHAR KUMAR DEY BISWAS
VS
THE KOLKATA MUNICIPAL CORPORATION AND ORS.

BEFORE
THE HON'BLE JUSTICE RAJA BASU CHOWDHURY
Date: 11th May, 2026

Appearance:
Mr. Shounak Mukhopadhyay, Adv.
Mr. Akash Ghosh, Adv.
....for the petitioner
Mr. Srijan Nayak, Adv.
Mr. Atis Biswas, Adv.
Mrs. Rituparna Maitra, Adv.
....for the KMC

1. On 19th January, 2026, this Court, inter alia, passed the following

order:-

"1. Having heard learned Advocates appearing for the respective parties and noting from the submissions that the parties are not ad idem to the extent of work completed though the parties would jointly submit that the aforesaid issue can be ironed out on the basis of a joint measurement to be carried out by the parties, I am of the view that the parties should carry out a joint measurement to ascertain the extent of work already completed. However, in the interregnum noting from the submissions made by Mr. Biswas, learned Advocate representing the Kolkata Municipal Corporation that certain rectification works are outstanding and also noting from Mr. Mukhopadhyay, learned Advocate representing the petitioner that the petitioner is ready and willing to complete the same at its own cost, let such work be commenced within a period of one week from date and be completed within a period of a month thereafter.

2. In the interregnum, petitioner and the Executive Engineer (S & D)/KMC shall carry out a joint measurement of the finished works already executed by the petitioner, inter alia, including the rectification works, and shall file a report before this Court when the matter is taken up next.

3. Since the petitioner would submit that the petitioner is ready and willing to give an undertaking that the petitioner shall complete the balance work, the parties can decide on the progress of the remaining work only after the joint measurement is carried out on the basis of the observation made by the Director

General (Sewerage & Drainage) that the department has already made a requisition for funds from the UD& MA Department so that upon receipt of the funds and after rectification of the faulty works followed by joint measurement, the Running Account Bills for payment up to the executed work can be processed immediately.

4. *List this matter in the monthly list of March, 2026."*

2. Today, Mr. Mukherjee, learned Advocate for the petitioner, would submit that the grievance of the petitioner has already been redressed as the petitioner has received the outstanding payment. According to him, entire rectification works has already been completed.

3. In the light of the above, nothing survives in the writ petition. The same is accordingly disposed of without any further order.

(RAJA BASU CHOWDHURY, J.)

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