

OD-19

WPO/758/2025  
IN THE HIGH COURT AT CALCUTTA  
CONSTITUTIONAL WRIT JURISDICTION  
ORIGINAL SIDE

Mohammad. Maqbool Ahmed  
Versus  
The Kolkata Municipal Corporation & Ors.

Before:

The Hon'ble Justice RAJA BASU CHOWDHURY

Date: 8<sup>th</sup> January 2026

Appearance:

Mr. Aurin Chakraborty, Advocate  
Mr. Arindam Poati, Advocate  
for the petitioner

Mr. Alak Kr. Ghosh, Advocate  
Mr. Swapan Kr. Debnath, Advocate  
for the KMC

Mr. Tanoy Chakraborty, Advocate  
Mr. Chhandak Dutta, Advocate  
for respondent nos.9 & 10

Ms. Sangeeta Roy, Advocate  
for the respondent

The Court: 1. Complaining illegal construction and the failure on the part of the municipal authorities to take steps despite representations made by the petitioner lastly on 28<sup>th</sup> July 2025, the instant writ petition has been filed.

2. Mr. Ghosh, learned advocate representing the Kolkata Municipal Corporation has placed before this Court a report dated 30<sup>th</sup> October 2025 prepared by the Executive Engineer (Civil), Building Department to contend that an inspection was carried out at premises no.B/16/1/H/3, Sir Syed Ahmed Road, Ward – 54, Borough – VI, Kolkata when it was

detected that the person responsible erected some R.C.C. columns at the fourth storey of the building standing on the aforesaid premises, and also encroached upon mandatory open spaces from the first floor level to roof level of the said three-storied building. Following such inspection the Kolkata Municipal Corporation on 20<sup>th</sup> August 2025, has also issued a stop work notice under section 401 of the Kolkata Municipal Corporation Act, 1980. The municipal authorities are also in the process of taking further steps.

3. Having regard to the inspection report filed in Court today and having heard the learned advocates representing the respective parties and considering the materials on record, I am of the view that no fruitful purpose would be served by keeping the writ petition pending.

4. Accordingly, the writ petition stands disposed of by directing the municipal authorities to take appropriate action in accordance with law upon notice to the person responsible concerning the illegal construction detected by the municipal authorities noted in the report dated 30<sup>th</sup> October 2025. The proceeding must be initiated within a period of two weeks from the date of communication of this order and the same must be brought to a logical conclusion and concluded within a further period of eight weeks therefrom.

(RAJA BASU CHOWDHURY, J.)