

OD-9

IN THE HIGH COURT AT CALCUTTA
CONSTITUTIONAL WRIT JURISDICTION
ORIGINAL SIDE

WPO/762/2025

SK ARSHAD ALI
VERSUS
KOLKATA MUNICIPAL CORPORATION AND ORS.

BEFORE:
THE HON'BLE JUSTICE RAJA BASU CHOWDHURY
Date: 24th June, 2026.

Appearance:
Md. Zohaib Rauf, Adv.
Mr. Abdul Zahid, Adv.
Md. Siraj Munir, Adv.
...for petitioner.

Mr. Gopal Chandra Das, Adv.
Ms., Sushmita Chatterjee, Adv.
...for KMC.

1. The report filed by the municipality in Court today, is taken on record.
2. Complaining illegal construction, the instant writ petition was filed.
3. On 15th January, 2026, this Court passed the following order:

“Having regard thereto, the Municipal Authorities are directed to inquire into the matter, carry out an inspection at the locale and file a report. If on the basis of the inspection it is found that any illegal construction is being carried out immediate steps must be taken to arrest the same and steps shall also be taken against such illegal construction in accordance with

law. The report must disclose the photographs of the property inspected.”

4. Pursuant to the aforesaid direction, the above report dated 20th June, 2026 has been filed.
5. From the aforesaid report, it would transpire that during the inspection carried out by the municipality at Holding No.198, JL-10, Mouza Nonadanga, LR Khatian No.224, LR Plot-502, Ward-108, under Borough-XII department found unauthorized framed structure of three storied building along with brick work. According to such report, the municipality has already issued a stop work notice on 21st May 2026, police intimation thereof has also been forwarded to the concerned police station and the file has been sent to the higher authority for processing suitable action under Section 400 of the Kolkata Municipal Corporation Act, 1980.
6. Having regard to the aforesaid report and noting that the municipality has already taken steps, I am of the view that it shall be prudent at this stage to direct the municipality to take a decision on the file, as reflected in the report, within a period of two weeks from date. Once, a decision in this regard is taken, the municipal authorities shall communicate the same to the petitioner unless, any action is proposed under Section 400(8) of the Kolkata Municipal Corporation Act, 1980.

7. The proceeding, as aforesaid, must be drawn to a logical conclusion on expeditious basis, preferably within six weeks therefrom.
8. The instant writ petition is, accordingly, disposed of.

(RAJA BASU CHOWDHURY, J.)