

IN THE HIGH COURT AT CALCUTTA  
CONSTITUTIONAL WRIT JURISDICTION  
ORIGINAL SIDE

WPO/846/2025

BHAKTI BHUSAN SARKAR  
VS  
THE KOLKATA MUNICIPAL CORPORATION AND ORS.

BEFORE  
THE HON'BLE JUSTICE RAJA BASU CHOWDHURY  
Date: 27<sup>th</sup> January, 2026

*Appearance:*  
*Mr. Srikanta Dutta, Adv.*  
*Mrs. Rituparna Sarkar Dutta, Adv. (VC)*  
*....for the petitioner*  
*Mr. Gopal Chandra Das, Adv.*  
*Ms. Ananya Das, Adv.*  
*....for the KMC*

1. Affidavit of service filed in Court today is taken on record. Despite service, private respondent is not represented.
2. The instant writ petition has been filed for a direction upon the municipality to enforce the demolition order dated 23.07.2025 passed by the Special Officer (Building) of the respondent no.1 and to demolish the 5<sup>th</sup> floor of premises no.2, Panditya Place, Kolkata – 700 029.
3. According to the petitioner, though the private respondent had obtained a sanction building permit for construction of ground + 4 storeyed building, an additional storeyed has been constructed without any sanction building plan. By placing before this Court the order passed by the Special Officer (Building), it is submitted that demolition order has already been passed under Section 400(1) and 416 of the Kolkata Municipal Corporation Act, 1980 in respect of the premises no.2, Panditya Place, Ward-85, Borough-VIII, D/Case No.06-D/VIII/25-26.

4. Considering the peculiar facts of this case and since the prayer is not opposed, I am of the view that the municipal authorities must take appropriate steps for implementation of their order in accordance with law as expeditiously as possible but preferably within a period of four weeks from the date of communication of this order.
5. With the above observation and direction, the writ petition is disposed of.

(RAJA BASU CHOWDHURY, J.)

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