

OD-03

WPO/928/2025
IN THE HIGH COURT AT CALCUTTA
CONSTITUTIONAL WRIT JURISDICTION
ORIGINAL SIDE

Md. Alamgir
Versus
The State of West Bengal & Ors.

Before:
The Hon'ble Justice RAJA BASU CHOWDHURY
Date: 10th February 2026

Appearance:
Mr. Biswanath Basu Mullick, Advocate
Mr. Biman Halder, Advocate
Mr. Amman Arif Anari, Advocate
for the petitioner

Mr. Manoj Malhotra, Advocate
Mr. Sabyasachi Mondal, Advocate
for the State

Mr. Vimal Kr. Shahi, Advocate
Ms. Golnaz Quraishi, Advocate
for the KMC

The Court: 1. The present writ petition has been filed, inter alia, praying for a direction upon the municipal authorities to demolish the illegal construction that has been carried on at premises no. 14/2/H/5, Narkeldanga, North Road, P.S. Narkeldanga, Kolkata – 700 011.

2. According to the petitioner, the construction has come up without the sanctioned building plan. The municipality is represented by Ms. Quraishi, learned advocate led by Mr. Shahi, learned advocate. She would submit that the municipality has already taken note of the illegal

construction carried on at premises no. 14/2/H/5, Narkeldanga, North Road, P.S. Narkeldanga, Kolkata – 700 011 and accordingly issued notice under section 401 of the Kolkata Municipal Corporation Act, 1980 (hereinafter referred to as “the said Act”) and an order under section 400(8) of the said Act has already been passed. Ms. Quraishi would also submit that some portions of the slab at the first floor level have already been demolished, and that further demolition has been scheduled. A copy of the report as placed by Ms. Quraishi in Court today be taken on record. The State is represented by the learned advocate and would submit that the construction is going on at the property in question.

3. Having heard the learned advocates representing the respective parties, I am of the view that the municipality must ensure that the illegal construction which has been carried out at premises no. 14/2/H/5, Narkeldanga, North Road, P.S. Narkeldanga, Kolkata – 700 011 is arrested forthwith and the partly demolished super structure is removed in its entirety as the same is likely to endanger the life and property of the people in and around the locality. The municipality is directed to take appropriate steps in this regard and file a detailed report before the learned Registrar, Original Side of this Court enclosing therein photographs of the demolished portion, after the order under section 400(8) of the said Act is executed and the dangerous portions are removed. The report must be filed within eight week from date with copy to the petitioner.

4. Since the municipality has already taken steps in the matter, nothing survives in the writ petition. The writ petition is accordingly disposed of.

(RAJA BASU CHOWDHURY, J.)

R. Bose