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IN THE HIGH COURT AT CALCUTTA
CONSTITUTIONAL WRIT JURISDICTION
ORIGINAL SIDE

WPO/933/2025

JAWED IQBAL
VS
KOLKATA MUNICIPAL CORPORATION AND ORS.

BEFORE
THE HON'BLE JUSTICE RAJA BASU CHOWDHURY
Date: 17th February, 2026

Appearance:
Mr. Amartya Basu, Adv.
Md. Siraj Munir, Adv.
....for the petitioner
Mr. Debjit Mukherjee, Adv.
Ms. Priyanka Jana, Adv.
...for the KMC
Mr. Subrata Guha Biswas, Adv.
....for the State

1. The present writ petition has been filed for demolition of unauthorised construction made at 105, Collin Street, P.S. Park Street, Ward-62, Borough-VI, Kolkata – 700 016.
2. The petitioner would complain that the private respondents despite having a sanction building plan carried out illegal construction at the aforesaid premises in deviation of the sanction building plan and encroached the mandatory open spaces at all sides.
3. The municipal authorities are represented. Mr. Mukherjee, learned Advocate representing the municipal authorities has placed before this Court a report dated 11th January, 2026 and would submit that, on the basis of the complaint, an inspection was carried out and it was found that the person responsible had encroached the mandatory open spaces at all sides in deviation of the said sanction building plan. Accordingly, a stop work notice under Section 401 of the Kolkata Municipal Corporation Act, 1980 (hereinafter referred to as 'the said Act') was issued. Subsequently, a

proceeding under Section 400 of the said Act was initiated. Upon hearing the parties, in the above proceeding being D/Case No.84-D/VI/25-26, a demolition order has already been passed.

4. Let a copy of the aforesaid report along with the demolition order be taken on record.
5. Having heard the learned Advocates appearing for the respective parties and having considered the materials on record, since it appears that the municipal authorities have already acted on the basis of the complaint lodged by the petitioner, I am of the view that nothing survives the writ petition.
6. Accordingly, the writ petition stands disposed of.

(RAJA BASU CHOWDHURY, J.)

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