

IN THE COURT OF MUNICIPAL MAGISTRATE 4th COURT, CALCUTTA.

Present:

Smt. Kadambari Adhikari

J O Code No: W B 1282

Case No. GR 123 of 2024

C N R No-WBCS03-000134-2024

Dated. 19.04.2025

Today the case record is fixed for appearance, copy and charge

Ld. APP is present.

Both accused persons namely **(1) Madan Shaw @ Madan Prasad & (2) Kamla Devi @Kamala Paswan** are present by filing hazira.

Copy served to the both accused containing 17 pages each.

Later,

At this juncture , to avoid delay,the case record is taken up for framing of charge.

Perused the record.

Heard the Ld. Advocates of both sides. Considering the materials and the submission of both the counsels this is a fit case for framing of charge.

Substance of accusation under Sections 392/610, 401(A),618 of KMC Act is read over and explained to both accused persons namely **(1) Madan Shaw @ Madan Prasad & (2) Kamla Devi @Kamala Paswan** in Bengali to which they pleaded not guilty and claim for trial by saying **“Ami nirdosh” separately.**

Fixing 08.05.2025 for evidence.

Issue summons upon CSW-1, CSW-2, CSW-3, CSW-4 & CSW-5 accordingly.

Dictated & corrected by me.

Municipal Magistrate, 4thCourt,
Calcutta.

West Bengal Form No. 3957.
High Court Criminal Form No. (P) 38.

Case No. GR 123 of 2024
CNR No:- WBCS03-000134-2024
CHARGES WITH THREE HEADS

[No. XXVIII (II), SCHEDULE V, Act V, 1998]
(Sections 221, 222, 223, Code of Criminal Procedure)

(1) Name and office of Magistrate, &c. I, Kadambari Adhikari, Municipal Magistrate, 4th Court, Calcutta do hereby charge you⁽²⁾ **(1) Madan Shaw @ Madan Prasad of 49/5/H/1D, Karl Marx Sarani, Kol-23, P.S. South Port & (2) Kamla Devi @ Kamala Paswan of B/49/5/H/125, Karl Marx Sarani, Kol-23, P.S. South Port**

(2) Name of accused person as follows:

That you on or before **28.11.2018**, being the persons responsible was engaged in making unauthorized construction of building at premises No. **49/5/H/125, Karl Marx Sarani, Kol-23, P.S. South Port, Ward- 79 Br-IX by constructed G+III storied unauthorized building illegally without any sanction plan** and if allowed to stand, may collapse at any date, endangering human life and water supply, drainage, sewerage of road or road traffic and may cause fire hazard and thereby committed an offence punishable under **Section 401A** of the of Kolkata Municipal Corporation Act and within the cognizance of this Court.

⁽³⁾

being the persons responsible was engaged in making unauthorized construction of building at the same date, time and place without any sanctioned plan and thereby committed an offence punishable under **Section 392/610** of the of Kolkata Municipal Corporation Act and within the cognizance of this Court.⁽³⁾

being the persons responsible was engaged in making unauthorized construction of building by violating stop work notice at the same date, time and place, in contravention of the provisions of the KMC Act

(3) My cognizance or the cognizance of the Court of Session.

and thereby committed an offence punishable under **Section 618** of the of Kolkata Municipal Corporation Act and within the cognizance of this Court.⁽³⁾

(4) In cases tried by Magistrate, omit “by the said Court.”

And I hereby direct that he be tried ⁽⁴⁾ by the said Court on the said charge.

Contents of the charge is read over and explained to both accused persons. On being asked, to both accused persons, pleaded not guilty by saying “**Ami nirdosh**” separately and claimed to be tried.

Dated this 19th day of April, 2025.

Municipal Magistrate
4th Court, Calcutta

