

06.05.2026
ML- 61
AMR
Ct.No. 03

WPA 2040 of 2025
Sandip Das
-vs.-
Kolkata Municipal Corporation & Ors.

Mr. Giasul Islam
Mr. Abhishek Bose

...for the Petitioner

Mr. Vimal Kumar Shahi
Ms. Ina Bhattacharyya

....for the KMC

Mr. Joy Chakrabarty
Mr. Sandip Dinda

...for the Respondent nos. 11 to 17

1. Affidavit of service filed in Court is taken on record.
2. Complaining illegal construction at the behest of the private respondent nos. 11 to 17 at premises no. 54 Topsia Road South, P.S.-Topsia, KMC Ward No. 59, Borough-VII and the failure on the part of the municipality to take adequate steps to resist the illegal construction, the writ petition has been filed.
3. Learned advocate for the municipality has placed a report before this Court dated 19th January, 2026, and would submit that on the basis of the complaint filed by the petitioner, the department had inspected the

premises in question and found that the persons responsible had constructed two storied RCC framed structure, along with wooden shuttering at the second floor, without sanction.

4. The municipality had issued a stop work notice under Section 401 of the Kolkata Municipal Corporation Act, 1980 on 14th November, 2024 and such fact was also notified to the police authorities for necessary action.

5. The demolition case proposal, infringement statement was prepared in respect of the detected unauthorized construction, and a final order has been passed by the Mayor-in-Council (MIC) on 7th February, 2025. According to the report, the building, which is a five storied building, has been partly demolished on the third and fourth floor on 21st November, 2025 and 22nd November, 2025, with police help. She submits that further demolition programme would be fixed shortly.

6. Incidentally, the aforesaid report does not disclose the demolition order or the order passed by the MIC.

7. Accordingly, I direct the municipality to forthwith place the aforesaid order passed by the MIC before this Court and to file afresh a report, enclosing therewith coloured photographs of the building in question on the

next date by carrying out a further inspection of the building in question.

8. The municipality is directed to take appropriate steps in accordance with law and to arrest any illegal construction at the above premises. The report must also indicate the further steps taken by the municipality to implement its own order passed under Section 400(8) of the said Act.

9. List this matter in the Combined Monthly List of July, 2026.

(Raja Basu Chowdhury, J.)