

07.04.2026
Item No.44
 Court No. 30
 MKP

WPA 3756 2026

Tahera Bibi

-vs-

The Kolkata Municipal Corporation And Ors.

Mr. Ratikanta Pal
 Mr. Sayantan Kar

..... for the Petitioner

Mr. Sombuddha Dutta
 Mr. Neil Basu
 Ms. Sankha Biswas
 Ms. Oindrilla Sarkar
 Mr. Avidipta Paul

.....for the Respondent no.7

Mr. Sandipan Banerjee
 Mr. Asis Kumar Laha

.....for KMC.

- 1.** Affidavit-of-service be kept with the record.
- 2.** The writ application has been preferred praying for direction upon the respondent Kolkata Municipal Corporation, not to give effect to the impugned demolition order dated 20.03.2025 issued by the Special Officer Building, Kolkata Municipal Corporation.
- 3.** It is submitted by the Learned Counsel for the petitioner that an order has been passed in a demolition case, in respect of the premises, in which they are the occupants.

- 4.** Learned Counsel appearing for the Kolkata Municipal Corporation submits a report dated 21.02.2026, wherein it appears that the said structure has been constructed, without any sanction plan.
- 5.** It is stated that the matter was heard by the Special Officer building in the year 2022, and the persons responsible for the said unauthorized construction were heard and a demolition order was passed on 20.03.2025.
- 6.** It is further stated in the report that part of the unauthorized structure was demolished, but as the building is fully occupied, only part roof was demolished and a notice under Section 412(1) of KMC Act 1980 dated 30.05.2025 was served to the person responsible for vacating the unauthorized structure at the above mentioned premises for further compliance. Further notice under Section 412(2) of KMC Act 1980 was issued on 06.02.2026 to Charu Market PS as premises was found to be occupied.
- 7.** The petitioner herein claims right in the disputed property, by way of filing copies of electricity bills, in support of his right in the suit property. It is well established that an electricity bill is not a document of right, title

and interest in a property. It at best prima facie process only possession in the property.

- 8.** Petitioner submits that he has not been asked to vacate the premises by the Kolkata Municipal Corporation till date.
- 9.** Accordingly, KMC is directed to serve a notice upon the petitioner at once and the matter be fixed for necessary orders before the regular bench on 11th of May, 2026.
- 10.** A copy of the report be served upon the other parties.

(Shampa Dutt (Paul), J.)