

S/L 8
19.05.2022
Court. No. 19
GB

WPA 3620 of 2022

Smt. Chandrima Chatterjee
VS
The State of West Bengal & Ors.

Mr. Chandradoy Roy.
...for the Petitioner.

Mr. Molay Kumar Singh,
Ms. Neelam Singh.
...for the State.

Mr. Barin Banerjee,
Ms. Tanushree Dasgupta.
...for the K.M.C.

Mr. Ankit Sureka.
...for the Special Officer.

Mr. Sanjay Mukherjee.
...for the Respondent No.9.

The petitioner is aggrieved by the damage caused to the premises of the petitioner pursuant to the construction work which has been initiated by the respondent no.9 at Premises no.P-60, Dakshinee Cooperative Housing Society Limited.

The allegation is that the premises of the petitioner is adjacent to the said premises, being Premises No.P-59, Dakshinee Cooperative Housing Society Limited and since 2019 the Corporation has been approached by the petitioner on numerous occasions alleging such damage and destruction to the property of the petitioner, but the Corporation has not taken any steps.

It is not in dispute that the person, who proposes to build, has to file a document before the Corporation,

undertaking to indemnify any damage that the construction may cause in the neighbourhood or to other premises. In this case, the respondent no.9 has filed such undertaking.

Under such circumstances, let this matter appear on ***June 8, 2022*** when the Corporation shall file a report assessing the damage to the property. If it is found, that any damage has been caused, in that case, necessary orders directing the respondent no.9 to undertake the repairing work shall be passed.

(Shampa Sarkar, J.)