

D/L 07
01.03.2024
Court No.24
Sayandeep

WPA 5701 of 2024

Ram Prasad Mondal
Vs.
Kolkata Municipal Corporation & Ors.

Mr. Dinendranath Chatterjee
Mr. Partha Sengupta
Mr. Biswarup Sengupta

...for the petitioner

The affidavit-of-service is taken on record.

The petitioner claims to be the owner and occupier of premises no. 18 B/1, Rajani Banerjee Road, Ward No. 125, borough-XVI, Kolkata-700008.

The petitioner submits that relying upon an order of demolition passed by the Special Officer (Building) on 22nd July, 2022 in respect of premises No. 18 B, Rajani Banerjee Road, the men and agents of the Corporation may take steps to demolish his property at premises No. 18 B/1, Rajani Banerjee Road, Borough-XVI, Kolkata-700008.

From the documents annexed to the writ petition, it appears that notice under Sections 544 and 546 of the KMC Act, 1980 was issued on 15th February, 2024 indicating that the men and agents of the Corporation shall enter the premises no. 18 B, Rajani Banerjee Road, Borough-XVI, Kolkata-700008 for carrying out the demolition of the unauthorized

construction of the subject premises on 4th March, 2023.

From the documents annexed to the writ petition there is nothing on record to suggest that any order of demolition has been passed in respect of premises no. 18 B/1. The apprehension of the petitioner that the authorities will demolish premises no. 18 B/1 relying upon the order of demolition passed in respect of premises No. 18B appears to be completely misplaced.

The Corporation shall take necessary steps for conducting demolition proceedings in respect of premises No. 18 B, Rajani Banerjee Road, Ward No. 125, Kolkata-700008.

The writ petition stands disposed of.

Urgent certified photocopy of this order, if applied for, be supplied to the parties expeditiously on compliance of usual legal formalities.

(Amrita Sinha, J.)