

07.04.2026
Item no. 38
Court no. 30
g.b.
266012

WPA 18879 of 2025

Kanchan Kumar Dan & Anr.
Vs.
The State of West Bengal & Ors.

Mr. Arkoday Mukherjee
.....For the Petitioners
Mr. D. Mukherjee
Ms. P. Jana
.....For the State
Mr. Achintya Kr. Banerjee
Mr. Fazlul Haque
.....For the KMC
Mr. Parikshit Basu
Ms. Bidisha Manna
....For the Respondent No.11

1. The writ application has been preferred praying for direction upon the respondent nos. 2 to 8 to initiate appropriate proceedings under the provisions of the Kolkata Municipal Corporation Act, 1980 against the respondent nos.11 and/or any other person involved in the said illegal and unauthorized construction at 24A, Beniatola Lane, Kolkata – 700 009, and to remove and/or demolish the illegal and unauthorized construction at 24A, Beniatola Lane, Kolkata- 700 009.
2. Learned counsel for the petitioners places a letter dated 02.09.2025 addressed to the Officer-in-charge, Amherst Street Police Station informing about the unauthorized construction detected at

the premises in the present case in which it has been noted that there has been violation and deviation from the sanctioned plan and necessary action was called for.

3. Learned counsel for the private respondent no.11 has placed copies and documents, wherefrom it appears that a demand draft dated 05.03.2026 has been submitted with the respondent/KMC as security deposit under Section 10(1) of the K.M.C. Act. Copies of receipt and demand draft shows the said payment.
4. It is submitted that the said demand has been raised by the KMC for considering the regularization of the alleged unauthorized construction made.
5. Learned counsel for the KMC submits that the proceedings in respect of the present case regarding the unauthorized construction is pending before the Special Officer, wherein the authority concerned shall consider the nature of unauthorized construction and depending on the same, the authority concerned shall take a decision as to whether the same can be regularized or not. As the matter is subjudice before the Special Officer, the Kolkata Municipal Corporation, Building Department is directed to submit a status

report as to the proceedings before the Special Officer, Building Department in the present case.

6. The report be filed before the Regular Bench on 27th April, 2026.

(Shampa Dutt (Paul), J.)