

29.01.2026

**DL-07
Ct. No. 03
Srimanta**

**In the High Court at Calcutta
Constitutional Writ Jurisdiction
Appellate Side**

WPA 24484 of 2025

**Md. Faruque
-Vs.-
Kolkata Municipal Corporation & Ors.**

Mrs. Priya Sisgar

...for the petitioner.

Mr. Santanu Chatterjee,

Mr. Manish Biswal

...for the State.

Mr. Vimal Kumar Shahi,

Ms. Ina Bhattacherya

...for the Kolkata Municipal Corporation.

1. Affidavit-of-service filed in Court today be taken on record.

2. The petitioner claims to have entered into an agreement for booking of a flat in respect of premises no. 3/1A, Bibi Bagan Lane, P.S. – Entally, Kolkata – 700 015. According to the petitioner, a sum of Rs.8,00,000/- has already been paid to the respondent no. 9. By placing the Agreement dated 30th April, 2019 which is taken on record it is submitted that the agreement is for letting out of 500 sq. ft. flat.

3. According to the petitioner, the petitioner has subsequently been able to ascertain that the entire building is unauthorized which is a G+6 storied structure. Accordingly, he had made a representation before the Municipal Authorities.

4. The Learned Advocate for the Municipality has placed before this Court two separate reports and submitted that the Municipality has carried out inspection in respect of the following premises:-

(i) Premise No. B/5/H/6, Bibi Bagan Lane, Kolkata – 700 015;

(ii) Premises No. 5/H/12, Bibi Bagan Lane, Kolkata – 700 015;

(iii) Premises No. 4/2A/1, Convent Lane, Kolkata – 700 015;

(iv) Premises No. B/4/H/7, Convent Lane;

(v) Premises No. 50V/1, Pottery Road, Kolkata – 700 015;

(vi) Premises No. 5/H/2, Bibi Bagan Lane, Kolkata – 700 015;

(vii) Premises No. 3/1A, Bibi Bagan Lane, Ward - 056, Br-VII.

5. From the inspection reports it would transpire that insofar as Premises No. 5/H/2, Bibi Bagan

Lane, Kolkata – 700015 is concerned, the same is only a G+5 storied building, the same is quite old and has been constructed long ago and is found to be in occupied condition. Unfortunately, the report does not disclose any picture.

6. Further since, the Learned Advocate for the petitioner by placing before this Court a supplementary affidavit which is taken on record submitted that further construction is going on at Premises No. B/5/H/6 and having regard to the submissions made in Court I am of the opinion that it shall be appropriate at this stage to direct the Municipality to carry out the further inspection of the premises in question and to file a report before this Court when the matter is taken up next. The inspection should be carried out by a responsible officer of the Municipality. Report should be supported by photograph of the building as also the frontal elevation thereof.

7. List this matter for further consideration under the same heading on 27th March, 2026.

(Raja Basu Chowdhury, J.)