

21.01.2026
Ct. 3
Item No.
AD 22-23
sayandeep

**WPA 25634 of 2025
With
WPA 1139 of 2026**

**Entally Janasevak Sangha & ors.
Versus
The Kolkata Municipal Corporation & Ors.**

Mr. Anindya Bose
Mr. Amit Gupta
Ms. D. Dey
Mr. A.D. Gupta

... For the petitioners in
WPA 25634 of 2025 and
for the respondent in
WPA 1139 of 2026

Mr. Sagnik Chatterjee
Ms. Ananya Neogi

...For the State

Mr. Sabyasachi Roy
..... for the respondent Nos. 9, 10, 11
Mr. Biswajit Mukherjee
Mr. Debanjan Mukherjee
Gulnaz Quraishi
Mr. ALok Ghosh

..... for the KMC

1. Today, the municipality has filed a report. According to such report, the department of Borough VI has fixed the date of demolition on 19th January, 2026 and claims that it had demolished a portion of the unauthorized construction. According to such report, the remaining portion could not be demolished due to occupancy by the occupants. The photographs enclosed to the report does not identify whether any demolition proceedings has been carried out in respect of splayed portion. In view

thereof, I direct the municipal authority to file a fresh report in the matter along with photographs when the matter is taken up next.

2. List this matter under the same heading on 18th February, 2026.
3. The report must indicate current status of the building with photographs of the portions which have been demolished. The municipality should ensure that the demolition order is carried out. The concerned P.S. shall afford adequate police assistance to the municipality, if sought for. The State is directed to place before this Court an updated status report as regards the complaint made under Section 401A of the KMC Act, 1980 lodged with the Entally P.S. on 28th October, 2024.
4. Though Mr. Bose, learned advocate for the petitioners in WPA 1139 of 2026, would submit that he had filed an appeal before the tribunal in January, 2026, while responding to a query from the Court, it is stated that appeal is yet to be admitted as the delay in filing the appeal is yet to be condoned. Though he prays for an interim protection, I am of the view since no appeal is pending in the eye of law, grant of any interim protection at this stage cannot arise. Further the facts do not warrant grant of interim protection.

(Raja Basu Chowdhury, J.)