

33
11.02.2026
Ct. No. 3
SB

In The High Court At Calcutta
Constitutional Writ Jurisdiction
Appellate Side

WPA 28416 of 2025

M / s. Infinity Real Estate & Ors.
Vs.
The Kolkata Municipal Corporation & Ors.

Mr. Bratin Kumar Dey
Mr. Joydeep Das
Mr. Subhankar Banerjee ... for the petitioners

Mr. Jayanta Samanta
Ms. Paromita Pal for the State

Ms. Tanushri Das Gupta
Ms. D. Dey ... for K.M.C.

Mr. Siva Prasad Ghose
Mrs. Neha Roy
Mr. Srijit Sahoo ... for respondent nos. 5 & 6

1. The present writ petition has been filed *inter alia* praying for a direction upon the municipal authorities to ensure that the footpath in front of petitioners' premises being number 1P, Gouribari Lane (formerly part of Premises No. 1 Gouribari Lane), P.O. Shyambazar, P.S. Maniktala, Kolkata – 700004, Ward No. 12, Borough No. II, is not used or utilized by the private respondents in any manner whatsoever for carrying on its business and to demolish and remove the unauthorized structure and / or encroachment at the aforesaid locale.
2. The Municipality and the private respondents are represented.

3. According to the learned advocate appearing on behalf of the private respondents a civil suit is pending between one of the private respondents and Mr. Pradip Kumar Mishra. An order of injunction is also subsisting.
4. Having heard the learned advocate appearing for the respective parties and noting that a case of illegal encroachment on a part of public footpath has been made out, I direct the municipal authority to forthwith carry out an inspection and to remove encroachment, if any, from the footpath and to report back before this Court on the returnable date. The report should include photographs of the locale.
5. The aforesaid order is not meant to interfere with the business of the private respondents provided, such business is being carried out lawfully.
6. Let the matter appear in the Combined Monthly List of Cases of **May, 2026** as **Motion Group-I**.

(RAJA BASU CHOWDHURY, J.)