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IN THE HIGH COURT AT CALCUTTA
CONSTITUTIONAL WRIT JURISDICTION
ORIGINAL SIDE.

WPO/135/2026

ABDUS SALAM RAHIMI
VS
THE KOLKATA MUNICIPAL CORPORATION & ORS.

BEFORE

THE HON'BLE JUSTICE RAJA BASU CHOWDHURY

Date: 30th March, 2026

Appearance

Mr. Javed K. Sanwarwala, Adv.
Mr. Shariq A. Sanwarwala, Adv.
...for the petitioner
Mr. Achintya Kumar Banerjee, Adv.
Mr. Gopal Chandra Das, Adv.
..for the KMC

1. Affidavit of service filed in Court today be taken on record.
2. The present writ petition has been filed in effect to seek implementation of the order dated 21st March, 2023 passed by the Special Officer (Building) of the Kolkata Municipal Corporation in respect of premises/plot no.31/1, Tiljala Road, P.S. Karaya, Ward No.64, Borough – 8, Kolkata 700 046. The petitioner would complain that notwithstanding the aforesaid demolition order and though the order has been partly complied with, the person responsible being the respondent no.10 has once again started reconstructing the partly demolished portion.
3. Mr. Baneerjee, learned Advocate appears for the municipality. He has filed a report dated 30th March, 2026 and would submit that in terms of the demolition order, steps were taken to demolish the illegally reconstructed portion of the 6th floor building. The last demolition programme was fixed on 21st February, 2026 to 24th February, 2026. Although demolition took place on 21st February, 2026 and 23rd February, 2026, however, subsequently demolition programme had to be deferred since, there was a demise of a dweller of the premises in question. Let a copy of the report filed by the municipality be taken on record.

4. Having heard learned Advocates appearing for the respective parties and noting the submissions made by the petitioner and the complaint made against the person responsible that he has once again started reconstruction of the demolished portion, I am of the view that the municipal authorities should forthwith go to the locale and carry out a detailed inspection and file a report before this Court. The report must include photographs and videography of the illegally constructed portion of the premises in question. It is made clear that if the municipal authority is of the view that illegal constructed portion has been reconstructed, appropriate steps should immediately be taken in accordance with law for removal of such reconstructed portion and the development in that regard must be incorporated in the report.

5. List this matter in the monthly list of May, 2026.

(RAJA BASU CHOWDHURY, J.)

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