

OD-1

ORDER SHEET  
CC/69/2024  
Arising out of  
WPO No.189 of 2024  
IN THE HIGH COURT AT CALCUTTA  
Special Civil Jurisdiction [Contempt]  
ORIGINAL SIDE

MD. EHTESHAM UDDIN  
-Versus-  
UJJWAL KUMAR SARKAR & ANR.

BEFORE:  
The Hon'ble JUSTICE AMRITA SINHA  
Date:16<sup>th</sup> March, 2026.

Appearance:  
Ms. Sarban Bhattacharjee, Adv.  
...for Petitioner.

Ms. Piyali Sengupta, Adv.  
...for KMC.

Mrs. Susmita Chatterjee, Adv.  
...for the State.

1. Perused the report of the Executive Engineer (Civil), Building Department, Borough-III, Kolkata Municipal Corporation signed on 16<sup>th</sup> March, 2026 wherefrom it appears that in respect of premises no. 44/1, Canal East Road (portion), the department has received an order from the Hon'ble Supreme Court directing the parties to maintain status quo with regard to the existing construction. Accordingly, no order is being passed in respect of the said premises at present.
2. As regards premises no. 5, Kasai Bustee Cross Lane, it appears that the police have failed to vacate the seven storied building constructed unauthorisedly.
3. The department has visited the premises and found that the Kolkata Municipal Corporation has not supplied water to the said premises and CESC Ltd. has observed that there is no meter room existing in the said premises.
4. It appears that the occupants must have made arrangement for electricity and water supply from other sources.

5. Officers of the Kolkata Municipal Corporation are directed to visit the site once again along with CESC personnel to ascertain the source of water and electricity in the unauthorized construction at the said premises. If any illegal water and electricity connection is detected, the same shall be immediately disconnected and proceeding, in accordance with law, shall be initiated against the violators.
6. Order was passed by the Court as far back as on 15<sup>th</sup> September, 2025 directing the Deputy Commissioner of Police (East Suburban Division) to take steps for removing the occupants from the unauthorised construction at 5, Kasai Bustee Cross Lane; even then the occupants of the unauthorised seven storied structure have not been removed.
7. In such a situation, the Commissioner of Police, Kolkata is directed to provide adequate police protection to ensure that the occupants of the unauthorised construction are removed in the aid of demolition. The police shall keep in mind that the direction for demolition was passed long back but the same could not be implemented till date for want of adequate police protection and genuine will to comply the order passed by the Court. The demolition work shall continue on day to day basis till the entire unauthorised construction is pulled down. Notice of demolition shall be pasted at various conspicuous places in and around the subject structure.
8. Hearing of the contempt application stands adjourned till 20<sup>th</sup> April, 2026.
9. In the event the unauthorised construction is not pulled down, then the Court would be compelled to take serious note of the matter.
10. All parties are to act on a server copy of this order duly downloaded from the official website of this Hon'ble Court.

(AMRITA SINHA, J.)