

OD-4

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: 17th June, 2025.

Appearance:  
Mr. Arif Ali, Adv.  
Ms. Sarban Bhattacharjee, Adv.  
...for Petitioner.

Mr. Gopal Chandra Das, Adv.  
...for Contemnors.

Mr. Debjit Mukherjee, Adv.  
...for the State.

1. Perused the report filed by the engineers of the Kolkata Municipal Corporation signed on 13<sup>th</sup> June, 2025. As regard unauthorised construction in premises no. 44/1, Canal East Road (Portion), it appears that the same has been demolished.
2. In premises no. 5, Kasai Bustee Cross Lane, it appears that there is a seven storied unauthorized structure standing, fully occupied. The engineers of the Corporation report that the officials of the Building Department, Borough-III attempted to demolish the said structure on various dates viz on 27/01/2025, 28/01/2025, 27/02/2025, 28/02/2025, 03/03/2025, 04/03/2025 and 02/04/2025, 03/04/2025 with the help of the police authorities.
3. During demolition the officials of the department faced strong resistance from the occupiers of the building as well as from the local people for which the demolition could not proceed. Further demolition programme has been fixed on 16<sup>th</sup> and 17<sup>th</sup> June, 2025. Notices have been issued from time to time to the police to vacate the said structure to enable the department to comply with the demolition order.

4. Learned advocate representing the State respondents relies upon the instruction forwarded by the Officer-in-Charge, Narkeldanga Police Station signed on 21<sup>st</sup> April, 2025 wherefrom it appears that assistance was provided to the Kolkata Municipal Corporation on 27.02.2025, 28.02.2025, 03.03.2025, 04.03.2025, 05.03.2025 and 02.04.2025. Thereafter, the Kolkata Municipal Corporation did not intimate any further date of demolition.
5. From the aforesaid two reports, it appears that despite repeated attempts made by the Corporation and the police, the unauthorized construction could not be demolished.
6. As further dates of demolition has been fixed on 16<sup>th</sup> and 17<sup>th</sup> June, 2025 hearing of the contempt application stands adjourned till 30<sup>th</sup> June, 2025. Further updated report by the Kolkata Municipal Corporation and the police shall be placed before this Court on the adjourned date.
7. In the event the unauthorized construction still remains, the Court will be constrained to take the help of the Central forces for the purpose of vacating the unauthorized construction in the aid of demolition of the same.
8. As the inmates of the structure shall resist in the demolition process of the unauthorized construction, the CESC Ltd. is directed to immediately disconnect the electricity supply and the Corporation is directed to forthwith disconnect the water supply connection to the subject structure.
9. Learned advocate for the petitioner is directed to communicate this order to the aforesaid authorities.

(AMRITA SINHA, J.)