

IN THE HIGH COURT AT CALCUTTA
CONSTITUTIONAL WRIT JURISDICTION
ORIGINAL SIDE

WPO/639/2025

SURAJIT ROY
VS
STATE OF WEST BENGAL AND ORS.

BEFORE
THE HON'BLE JUSTICE RAJA BASU CHOWDHURY
Date: 29th January, 2026

Appearance:
Mr. Jishnu Chowdhury, Sr. Adv.
Ms. Pratiti Das, Adv.
Ms. Arifa Sultana, Adv.
....for the petitioner
Mr. Debjit Mukherjee, Adv.
Ms. Priyanka Jana, Adv.
...for the State
Mr. Gopal Chandra Das, Adv.
Ms. Susmita Chatterjee, Adv.
....for the KMC
Mr. Arindam Banerjee, Sr. Adv.
Ms. Mahashree Ghosh, Adv.
Ms. Anamika Bari, Adv.
....for the respondent nos. 11, 12 & 13

1. A report filed by the municipality in Court today is taken on record.
2. Though the report identifies that the proceedings under section 400(1) of the Kolkata Municipal Corporation Act, 1980 (hereinafter referred to as 'the said Act') is in progress in respect of construction of three columns which is approximately 30.776 square metres and an approximate area of walls at the fourth floor level is 16 square metres in respect of the premises no.1, Beadon Street, Ward No.26, Borough – IV, the learned Advocate for the municipality would now submit that the entire proceedings have been completed and the construction has been regularised. This Court fails to fathom the circumstances under which an illegal construction of this nature has been regularised especially when on the previous occasion pursuant to notice under Section 401 of the said

Act, the person responsible had demolished the portion whereupon the proceedings were dropped.

3. It is also not clear from the report as to whether any order has been passed by the municipality regularising the illegal construction, at least no document to support such statement has been placed before this Court.
4. In view thereof, I direct the municipality to produce the records of the demolition case and the regularisation thereof, if any, at 2 PM today.
5. The direction for production of the records have been issued since the municipality despite holding out that there has been a regularising order has failed to disclose the same.

(RAJA BASU CHOWDHURY, J.)

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