

ORDER

ODSL – 1 to 4

IN THE HIGH COURT AT CALCUTTA
CONSTITUTIONAL WRIT JURISDICTION
ORIGINAL SIDE

WPO/1253/2023
THE CALCUTTA SEROLOGICAL INSTITUTE
LABORATORY (P) LTD. AND ANR.
VS
THE KOLKATA MUNICIPAL CORPORATION AND ORS

WPO/1256/2023
SUMANTA BISWAS AND ORS
VS
THE KOLKATA MUNICIPAL CORPORATION AND ORS

WPO/1260/2023
SRI DEBASHIS AUDDY ALIAS DEBASIS AUDDY
VS
KOLKATA MUNICIPAL CORPORATION AND OTHERS

WPO/1287/2023
IA NO: GA/1/2025
SURESH CHANDRA SHAW AND ANR
VS
THE KOLKATA MUNICIPAL CORPORATION AND ORS

BEFORE:

The Hon'ble JUSTICE DINESH KUMAR SHARMA

Date : 22nd July 2026

Appearance:

Mr. Sandip Kumar De, Adv.
Mr. Avik Chitta Kundu, Adv.
...for petitioners in WPO/1256/2023

Mr. Debjyoti Basu, Adv.
Mr. Parasur Baidya, Adv.
...for petitioners in WPO/1253/2023 & WPO/1260/2023

Mr. Krishan Das Poddar, Adv.
...for the petitioner in WPO/1287/2023

Mr. Gopal Chandra Das, Adv.
...for KMC in WPO/1253/2023 & WPO/1287/2023

Mr. Gopal Chandra Das, Adv.
Mr. Rudranil De, Adv.
...for KMC in WPO/1256/2023.

The Court:- The present petitions have been filed challenging the notice dated 12th June 2023 by the Kolkata Municipal Corporation, Building Department, for demolition of dangerous portions of the building at Premises Nos.9 and 10, Jawaharlal Nehru Road, Kolkata. The building is stated to be owned by the Life Insurance Corporation of India [LICI]. The petitioners herein are occupiers in the capacity of tenants of the LICI.

On hearing the submissions of the learned counsel for the petitioners and perusal of the report filed on behalf of Kolkata Municipal Corporation [KMC], it is found that the case is stuck at the stage of receiving proposal from LICI. Learned counsel for the Corporation submit that on 14th May 2026, the Executive Engineer (Civil), Building Department, KMC sent a communication to the LICI. Learned counsel for the Corporation submits that the proposed drawings received from LICI were not accompanied with the relevant documents in compliance of Rule 4 of the Kolkata Municipal Corporation (Building) Rules, 2009. Learned counsel for the KMC states that till date there is no response from the LICI.

Learned counsel for the petitioners in WPO/1287/2023 has submitted that in fact the building only requires repairs and is not liable to be demolished. Learned counsel submits that the repair work can be undertaken in terms of Section 411 of the Kolkata Municipal Corporation Act.

Perusal of the documents indicates that after the notice for demolition of the building was served, the occupiers invoked the jurisdiction of this

Court. An interim order was granted initially which was being extended from time to time. This Court is of the firm view that such like matters, which involve demolition of dangerous buildings, require utmost priority. The building is stated to be 150 years old. Learned counsel for the petitioners have even stated that the same is a heritage building.

Let the matters be listed on 29th July 2026 at 2:30 p.m. In the meantime, the interim order is extended till 29th July 2026.

Let the Executive Engineer (Civil), Building Department, Borough-VI, KMC appear in person with entire relevant records. The Executive Engineer (Civil) is also directed to submit a report as to whether any structural audit of the building has been carried out. Let Eastern Regional Manager (Estate), LIC also appear in person with entire record and file a status report. Let a copy of this order be served upon the Eastern Regional Manager (Estate), LIC as well as the learned counsel appearing on behalf of the respondent No.5.

The affidavit in opposition filed on behalf of LIC to IA GA/1/2025 in WPO/1287/2023 be taken on record. Learned counsel for the petitioners has also filed affidavit in reply. Let it be taken on record.

(DINESH KUMAR SHARMA, J.)

S. Kumar