

OD-4

ORDER SHEET
WPO No.1722 of 2023
IN THE HIGH COURT AT CALCUTTA
Constitutional Writ Jurisdiction
ORIGINAL SIDE

ASHOK KUMAR BHUNJA
VERSUS
THE KOLKATA MUNICIPAL CORPORATION & ORS.

BEFORE:
The Hon'ble JUSTICE AMRITA SINHA
Date:18th October, 2023.

Appearance:
Mr. Arindam Banerjee, Adv.
Ms. Sinthia Bala, Adv.
...for Petitioner.

Mr. Alak Kumar Ghosh, Adv.
Mr. Atis Kumar Biswas, Adv.
...for KMC.

Mr. Debjit Mukherjee, Adv.
Ms. Kalpita Paul, Adv.
...for State.

The Court:- The petitioner is primarily aggrieved by the order under Section 412A of the Kolkata Municipal Corporation Act, 1980 issued by the Deputy Chief Manager (Civil)/Building/North on 21.03.2023 in respect of the premises no.300, B. B. Ganguly Street, Ward No.44, Borough-V, of the Kolkata Municipal Corporation.

The petitioner is a tenant in occupation of one shop room in respect of the premises no. 300 and 301A to 301F. He apprehends dispossession.

According to the petitioner, the aforesaid order was never officially communicated to him and a soft copy of the same was forwarded to the petitioner only in the month of September, 2023 at the time of affixation of the board 'dangerous property' by the officials of KMC.

Learned advocate representing the State-respondent is yet to receive instruction in the matter.

Learned advocate for the Corporation is ready with a report. Let the report be placed before this Court by way of an affidavit which shall be circulated amongst the parties by 24.11.2023.

List the matter once again on 06.12.2023.

Learned advocate representing the Corporation submits that a reconstruction plan is yet to be submitted and there is no threat of the petitioner's dispossession at this stage.

Learned advocate appearing on behalf of the petitioner is directed to communicate this order to the non appearing respondents and file affidavit of service on the adjourned date.

Un-served postal envelope is retained with the records and the writ petition from the envelope has been returned to the learned Advocate-on-record of the petitioner.

Urgent photostat certified copy of this order, if applied for, be supplied to the parties, upon compliance of all legal formalities.

(AMRITA SINHA, J.)