

**In The High Court At Calcutta  
Constitutional Writ Jurisdiction  
Appellate Side**

**W.P.A. 22343 of 2023**

**Nasim Khan  
-versus  
Kolkata Municipal Corporation & Ors.**

**Mr. Samrat Chowdhury.  
Mr. Ahshan Ahmed.  
...For the Petitioner.**

**Mr. Mahammad Mahmud.  
...For the Respondent  
Nos. 9 and 10.**

**Mr. Samit Kumar Mondal.  
Ms. Indrani Nandi.  
...For the respondent no. 7.**

The petitioner complains of illegal and unauthorised construction at the behest of the private respondent at premises no. 166/H/4, Keshab Chandra Sen Street under Borough-V of the KMC.

Objection filed against such unauthorised construction is pending consideration till date.

Learned advocate representing the respondent nos. 9 and 10 submits, upon instruction that, on the allegation of unauthorised construction in respect of the same premises, this Court passed order on 1<sup>st</sup> September, 2023 in WPO NO. 1541 of 2023 in the matter of Ainul Haque -Vs- The State of West Bengal & Ors directing the Executive Engineer to take steps to deal with the unauthorised construction in accordance with law.

As it appears that the order has already been passed by this Court to deal with the unauthorised construction at the subject premises, accordingly, the

Executive Engineer, Borough-V is directed to take into consideration the objection of the petitioner along with the other objection filed by Ainul Haque (supra) to deal with the unauthorised construction in the same manner as directed in the order dated 1<sup>st</sup> September, 2023.

Steps shall be taken at the earliest but positively within a period of eight weeks from the date of communication of this order.

Affidavit-of-service filed today in Court be kept with the records.

Report filed by the Officer-in-Charge, Amherst Street Police Station dated 19.09.2023 is taken on record.

The writ petition stands disposed of.

Urgent certified photocopy of this order, if applied for, be supplied to the parties expeditiously on compliance of usual legal formalities.

**( Amrita Sinha, J.)**