OD-1

IN THE HIGH COURT AT CALCUTTA
CONSTITUTIONAL WRIT JURISDICTION
ORIGINAL SIDE

WPO/526/2026

MANOJ KUMAR SHAW
VS
THE KOLKATA MUNICIPAL CORPORATION AND ORS.

BEFORE:
THE HON'BLE JUSTICE KAUSIK CHANDA
Date: 2nd November, 2026.
(Vacation Bench)

Appearance:
Mr. Varun Kothari, Adv.
Mr. A.N. Bhattacharyya, Adv.
Ms. Sayani Das, Adv.
Mr. Snehasis Dey, Adv.
... for the petitioner

Mr. Piush Chaturvedi, Sr. Adv.
Mr. Nilanjan Chatterjee, Adv.
... for K.M.C.

The Court: The affidavit of service filed in Court today is taken on record.

It appears that, by a letter dated September 9, 2026, the Municipal Commissioner, Kolkata Municipal Corporation, issued a notice directing the closure of the guest house run by the petitioner. The said notice alleges that the petitioner is operating the guest house without obtaining the requisite permission from the Kolkata Municipal Corporation, in contravention of Section 416 of the Kolkata Municipal Corporation Act, 1980.

Learned advocate appearing on behalf of the petitioner, on the other hand, submits that the petitioner has obtained a licence

for running the guest house, in support of which he refers to Annexure P-1 to the writ petition.

The Corporation has not been able to produce any document before this Court to demonstrate that the petitioner was afforded an opportunity of hearing prior to the issuance of the closure notice dated September 9, 2026.

In view of the aforesaid, the closure notice dated September 9, 2026, issued by the Kolkata Municipal Corporation, is set aside.

The Corporation shall afford an opportunity of hearing to the petitioner within a period of one month from the date of communication of this order. Upon affording such opportunity and hearing the petitioner, the Corporation shall be at liberty to pass an appropriate order in accordance with law.

Accordingly, **WPO 526 of 2026** is disposed of.

Urgent photostat certified copy of this order, if applied for, be supplied to the learned advocates for the parties on usual undertakings.

[KAUSIK CHANDA, J.]

DB /S. Seal