02.11.2026
Item No88.
Ct. No.07
Suman

WPA 31449 of 2026

Archana Chowdhury and Ors.
-Vs-
The Kolkata Municipal Corporation and Ors.

Mr. Sarosij Dasgupta
Mr. Shariq A. Sanwarwala
..for the petitioners

Mr. Dibashis Basu
Ms. Sneha Dutta
Mr. Purnendu Das
..for the State

Mr. Piush Chaturvedi, Sr. Adv.
Mr. Nilanjan Chatterjee
..for KMC

It appears that, by a letter dated August 31, 2026, the Municipal Commissioner, Kolkata Municipal Corporation, issued a notice directing the closure of a guest house being operated by the petitioners. The said notice alleges that the petitioners are operating the guest house without obtaining permission from the Kolkata Municipal Corporation, in violation of Section 416 of the Kolkata Municipal Corporation Act, 1918.

Learned advocate appearing on behalf of the petitioners, on the other hand, submits that the petitioners have obtained a licence to operate the guest house, in support of which reliance is placed on Annexure P-1 to the writ petition.

The Corporation has not been able to place any document before this Court to demonstrate that the

petitioners were afforded an opportunity of hearing prior to the issuance of the closure notice dated August 31, 2026.

In view of the aforesaid, the closure notice dated August 31, 2026, issued by the Kolkata Municipal Corporation, is hereby set aside.

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

Accordingly, **WPA 31449 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.*)