12th Nov., 2026

Item no.DL 33
Court No. 447

Rohit, A.R.(Ct.)

In the High Court at Calcutta

Constitutional Writ Jurisdiction
Appellate Side

Case No. **WPA 26960 of 2025**

In the matter of :

Mohammad Shahid @ Md Sahid

....Petitioner

VS.

The Kolkata Municipal Corporation & Ors.

....Respondents

For the Petitioner :

Mr. Subhrangsu Panda

Ms. Haritri Roy

Mr. Anupam Singha

....Advocates

For the KMC :

Mr. Alak Kr. Ghosh

Mr. F. Haque

...Advocates

1. Affidavit-of-service filed today in Court be kept on record.

2. In the writ petition, it has been alleged that the petitioner did not receive the notice under Section 401 of the Kolkata Municipal Corporation Act, 1980 and as such a prayer has been made to quash the proceedings contemplated under Section 401 of the said Act.

3. The learned Counsel for the Kolkata Municipal Corporation submitted that the matter has been forwarded to the appropriate authorities of the Kolkata Municipal Corporation to start a proceeding under Section 400(1) of the said Act.

4. Considering the circumstances, W.P.A 26960 of 2025 is disposed of by directing the authorities of the Kolkata Municipal Corporation to serve notice of the proceeding contemplated under Section 400(1) of the said Act, if

sought to be initiated by the municipal authorities at all, upon the petitioner. However, the municipal authorities shall also supply a copy of the notice under Section 401 of the said Act irrespective of initiation of proceeding under Section 400(1) of the said Act.

5. There shall be no order as to costs.

6. All parties shall act on the server copy of this order duly downloaded from the Official Website of this Court.

7. Urgent photostat certified copy of this order, if applied for, be given to the parties upon compliance with all requisite formalities.

(Sandip Kumar De, J.)