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ORDER SHEET  
WPO No.1611 of 2023  
IN THE HIGH COURT AT CALCUTTA  
Constitutional Writ Jurisdiction  
ORIGINAL SIDE

EIH LIMITED  
-Versus-  
THE KOLKATA MUNICIPAL CORPORATION & ORS.

BEFORE:

The Hon'ble JUSTICE AMRITA SINHA

Date: 22nd September, 2023.

Appearance:

Mr. R. Lakhmani, Adv.  
Mr. Emon Bhattacharya, Adv.  
Ms. Pooja Sah, Adv.  
...for Petitioner.

Mr. Alak Kr. Ghosh, Adv.  
Mr. Swapan Kr. Debnath, Adv.  
...for KMC.

Ms. A. Chakraborty, Adv.  
...for State.

The Court:-The instant writ petition has been filed by the petitioner seeking for a direction upon the respondent authorities to forthwith remove the hawkers/street vendors occupying and running illegal trade from the pavement in front of the heritage property standing at 15, Jawharlal Nehru Road, Police Station-New Market, Kolkata-700013.

The petitioner has annexed photographs to show that the hawkers are using electricity in an illegal manner by hooking the same from the street lights. The petitioner submits that there is a chance of fire accident being caused.

A report has been filed by the Officer-in-Charge, New Market Police Station signed on 20.09.2023 which mentions that on enquiry it was noticed that the hawkers have encroached a portion of the footpath hindering pedestrian movement except the entrance and exit gate.

The Corporation is directed to file a report with regard to the steps taken to keep the pavement free for pedestrians.

Leave is granted to the learned advocate representing the petitioner to implead CESC Ltd. and the Town Vending Committee as party respondents in the instant writ petition and serve a copy of the writ petition upon the added respondents.

A report shall be filed by CESC Ltd. as to whether any electricity connection has been given on the pavement of the subject structure.

The report of the Corporation shall mention as to whether any license has been issued in favour of any of the hawkers to sell goods and or articles in the pavement. Names and addresses of the hawkers/vendors in front of the subject premises shall be disclosed in the report to be filed by the Corporation.

List the matter on 05.10.2023.

No further license shall be issued by the Corporation without leave of the Court.

Affidavit of service filed in Court today is taken on record.

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

(AMRITA SINHA, J.)