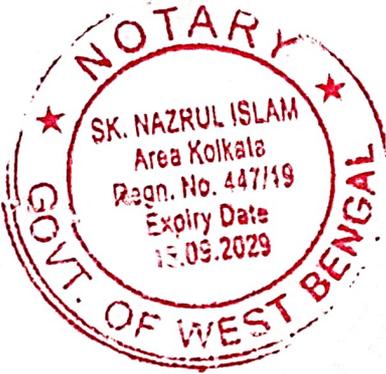




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BEFORE THE HON'BLE NATIONAL GREEN TRIBUNAL  
EASTERN ZONE BENCH, KOLKATA  
MISCELLANEOUS APPLICATION NO. 31/2025/EZ  
IN  
ORIGINAL APPLICATION NO. 124/2024/EZ



In The Matter of:

Abhijit Sarkar

... Applicant

Versus

State of West Bengal & Ors.

... Respondents

COMPLIANCE AFFIDAVIT ON BEHALF OF THE RESPONDENT  
NUMBER 02, THE KOLKATA MUNICIPAL CORPORATION.

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SL No.	PARTICULARS	ANNEXURE	PAGE
1.	Affidavit-of-Compliance		1-6
2.	Photocopy of the Report of the Building Department of the KMC is annexed herewith	'A'	7
3.	Photocopy of the letter dated 03.02.2026 vide memo no. KMC/Bldg/D.G(B)/26/25-26 written by Director General Building, KMC to the District Magistrate & Collector, South 24 Parganas is annexed herewith	'B'	8-9

Filed By:-  
*Sibojyoti Chakrabarti*  
SIBOJYOTI CHAKRABARTI

Advocate

KMC

(M): 9007035534

Email: subho.advocate@gmail.com

12 FEB 2026



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BEFORE THE HON'BLE NATIONAL GREEN TRIBUNAL  
EASTERN ZONE BENCH, KOLKATA  
MISCELLANEOUS APPLICATION NO. 31/2025/EZ  
IN  
ORIGINAL APPLICATION NO. 124/2024/EZ

In The Matter of:

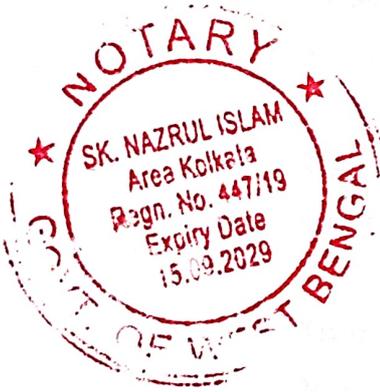
Abhijit Sarkar

... Applicant

Versus

State of West Bengal & Ors.

... Respondents



COMPLIANCE AFFIDAVIT ON BEHALF OF THE RESPONDENT NUMBER 02, THE KOLKATA MUNICIPAL CORPORATION.

I, Sri Sanjib Kumar De, S/o Late Gobinda Chandra De, aged about 59 years, by faith- Hindu, by occupation-service, presently posted as Executive Engineer (Civil), Borough-XIV, Kolkata Municipal Corporation, having office at 516, Diamond Harbour Road, Kolkata: 700034, do hereby solemnly affirm and declare as follows:-

1. That I am the Executive Engineer (Civil), Borough-XIV, Kolkata Municipal Corporation, having office at 516, Diamond Harbour Road, Kolkata: 700034, and I have been authorized by the Kolkata Municipal Corporation herein, to affirm this compliance affidavit on its behalf.
2. That this compliance affidavit is being filed in compliance and obedience to the Solemn Order dated 12.01.2026 passed by the

12 FEB 2026

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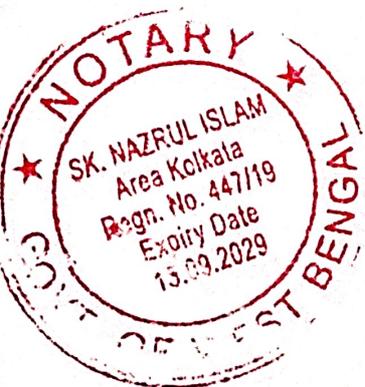
-X-

Hon'ble National Green Tribunal, Eastern Zone Bench, Kolkata in pursuance to the Solemn Order dated 18.11.2024 in O.A case no. 124/2024/EZ, in the form of affidavit.

3. That the portion filled up in comparison with NRSA (Areal Map) could not be restored as there exists RT Shed structure. If the RT Structure demolished by the Building Department, the E&H Department will restore the remaining portion of the waterbody. The waterbody has been cleaned by the E&H Department in compliance to the order of the Hon'ble Tribunal.
4. That a report prepared by the Building department Kolkata Municipal Corporation for submission before the Hon'ble Tribunal is detailed as hereunder:

*"1. On receiving a case file from NGT vide original application number 124/2024/EZ, (Earlier OA 208/2024/PB) Abhijit sarkar Vs. Kolkata municipal corporation and others an inspection was carried out at the captioned premises. On observation it appears that there exists a water body with some RTDH at its northern side. The plot is butted and bounded by boundary walls at the time of inspection. But from office record no sanction related document has been found, so a notice U/S 401 of KMC Act 1980 issued.*

*2. Demolition of the unauthorized structure U/S 400(8) of KMC Act 1980 was passed by Hon'ble Mayor vide MIC item no M 51.83 dated 13.12.2024.*



12 FEB 2026

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—\*—

3. On 24.04.2025 said demolition was carried out with the assistance of Parnashree P.S but during execution representative of person responsible came at site and produced an ad interim order of injunction valid till 25.07.2025 in relation to the above court matter. So a part demolition has been carried out on 24.04.2025 accordingly GD has been lodged at Parnashree PS.

4. The NGT eastern zonal bench Kolkata ordered as "illegal construction needs to be demolished by the suitable authority". The Person responsible submitted a letter dated 23.12.2025 along with a copy of ad interim order of injunction (T.S No. 1312/2024) which is valid up to 26.02.2026. So no further demolition date will be fixed up by this department."

Photocopy of the Report of Building department Kolkata Municipal Corporation is annexed herewith and marked with the letter 'A'.

5. That it is further stated that the Director General Building, Kolkata Municipal Corporation has sent a letter to the District Magistrate & Collector, South (24) Parganas being memo no. KMC/Bldg/D.G(B)/26/25-26 dated 03.02.2026, in which he has submitted that there is an injunction order of the Ld. 5<sup>th</sup> Civil Judge (Junior Division) at Alipore against the demolition of unauthorised construction till 26.02.2026.

Photocopy of the Compliance Report dated 03.02.2026 written by Director General Building, KMC to the District Magistrate & Collector, South 24 Parganas along with Information Slip



1 2 FEB 2026

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obtained from the Learned Court are collectively annexed herewith and marked with the letter 'B'.

6. That as per the direction the Solemn Order passed by the Hon'ble Tribunal has been complied.
7. That the deponent craves leave of this Hon'ble Tribunal to file supplementary affidavit as may be directed by the Hon'ble Tribunal.
8. That the statements made in the above paragraphs are true to my knowledge and belief and as per records available in the office.

That it is therefore respectfully prayed that Hon'ble Tribunal may pass such order/orders as it deems fit and proper in the interest of justice.

Identified by me

*Sibojyoti Chakrabarti*

Advocate 12.02.2026

KMC

*Sanjib Kumar Dc.*

Deponent

EXECUTIVE ENGINEER (BLDG.)  
BOROUGH NO.- XIV  
The Kol. Municipal Corpn.

12 FEB 2026



**VERIFICATION**

*X*

Verified at Kolkata by the deponent above named on this the 12<sup>th</sup> Day of February, 2026 and say that the contents of this affidavit made in paragraph nos. 1 is true to my knowledge and those made in paragraphs no. 2 to 5, are true to my information derived from the office records and rest are my respectful submission before this Hon'ble Tribunal.

Identified by me

*Sibjyoti Chakrabarti*

Advocate 12.02.2026  
KMC

*Ganji Kumar De*

Deponent

EXECUTIVE ENGINEER (BLDG.)  
BOROUGH NO.- XIV  
The Kol. Municipal Corpn.

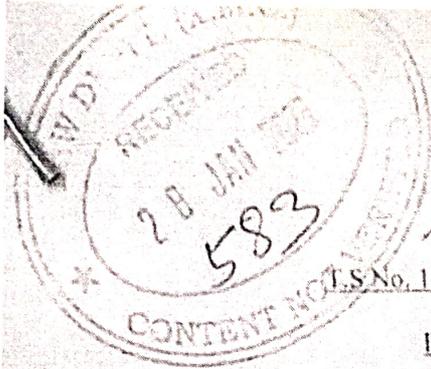
Solely affirmed and  
Declared before me on the  
Identification of the Advocat

*[Signature]*  
Notary

*SK Nazrul Islam*  
Notary, Govt. of W.B  
Govt. No. 447/19  
City Civil Court, Calcutt



12 FEB 2026



F-583

Annexure - A

572

17 JAN 2025

44

THE KOLKATA MUNICIPAL CORPORATION Building Dept. Content Not Verified

T.S.No. 1312 of 2024 before Ld. Court 5<sup>th</sup> civil judge Jr. Division at Alipore

Rupa Mukherjee Vs. The Kolkata Municipal Corporation

Prem No 1/7 Becharam Chatterjee road Ward 130 Br XIV

CMLO X AD (Law) DG (Building)

Report

1. On receiving a case file from NGT vide original application number 124/2024/EZ (Earlier OA 208/2024/PB) Abhijit sarkar Vs. Kolkata municipal corporation and others an inspection was carried out at the captioned premises. On observation it appears that there exists a water body with some RTDH at its northern side. The plot is butted and bounded by boundary walls at the time of inspection. But from office record no sanction related document has been found, so a notice U/S 401 of KMC Act 1980 issued.
2. Demolition of the unauthorized structure U/S 400(8) of KMC Act-1980 was passed by Hon'ble Mayor vide MIC item no M 51.83 dated 13.12.2024.
3. On 24.04.2025 said demolition was carried out with the assistance of Parnashree P.S but during execution representative of person responsible came at site and produced an ad interim order of injunction valid till 25.07.2025 in relation to the above court matter. So a part demolition has been carried out on 24.04.2025 accordingly GD has been lodged at parnashree PS.
4. The NGT eastern zonal bench Kolkata ordered as "illegal construction needs to be demolished by the suitable authority". The Person responsible submitted a letter dated 23.12.2025 along with a copy of ad interim order of injunction (T.S No. 1312/2024) which is valid upto 26.02.2026. So no further demolition date will be fixed up by this department.

Signature  
SAE(C)/Bldg 16.1.2026

Signature  
Asst Engineer (e)/Bldg

Signature  
16/01/26  
Ex. Engineer (C)/Bldg/Br XIV

Encl:- case file.

Assistant Engineer (C)  
K.M.C., Building Deptt.  
Borough No.- XIV

EXECUTIVE ENGINEER (BLDG.)  
BOROUGH NO.- XIV  
The Kol. Municipal Corpn.

\*\* Kind attention: Advocate / Law officer Abhishek Nayra.

Encl A - Nayra

Signature  
16.1.26  
DG (BUILDING)  
K.M.C.

CMLO  
D. Talukder  
This is for kind  
reference  
in way.



*Annexure - B*

THE KOLKATA MUNICIPAL CORPORATION  
BUILDING DEPARTMENT  
5, S.N. BANERJEE ROAD  
KOLKATA-700 013

Memo No. KMC/Bldg/D.G (B)/26/25-26

Dated 03.02.2026

From: Director General (Building)  
Building Department.

To,  
The District Magistrate,  
South 24 Parganas,  
Office of the District Magistrate & Collector,  
12, Biplabi Kanai Bhattacharya Sarani, Alipore,  
Kolkata - 700 027

Sub : Compliance of solemn order passed by Hon'ble National Green Tribunal dated 18/11/2024 in the matter of Abhijit Sarkar Vs. West Bengal Pollution Control Board being case no. OA 124 / 2024 / EZ

Ref : Memo no. 55 / NGT / 426 / OA 124 / 24 dated 20/01/2025 issued by Office of the District Magistrate & Collector, South 24 Parganas.

Sir,

With reference to your Memo No. 55 / NGT / 238 / OA 124 / 24 dated 21/01/2026. I am directed to inform you that there is an injunction order of the Ld. 5<sup>th</sup> Civil Judge (Junior Division) at Alipore against the demolition of unauthorized construction till 26/02/2026.

The order of the said injunction is attached herewith for your kind perusal please.

Thanking you,

Yours faithfully,

*[Signature]*  
03.2.2026  
Director General (Building)  
D G (BUILDING)  
K M C

Annexure - B

**HIGH COURT FORM NO. (M) 55 Civil / (H) 30 (Criminal)**  
**APPLICATION FOR INFORMATION**

West Bengal Form No. 870

Serial No. & Date	Name & residence of the applicant	Nature of information required	Date on which information is to be ready	Signature of Officer receiving the application	REMARKS
	<p>SHRIJEEB BILWA                      (Advocate)                      10A, Biju Mukherjee Lane,                      Kolkata - 700025</p>	<p>District Mangaroad (South)                      In the Court of Learned 5<sup>th</sup> Civil Judge (Ordinary)                      Title Suit 1312 of 2024                      Rupa Mukherjee ..... Plaintiff                      - versus -                      Somnath Mukherjee ..... Defendant</p> <p>Please let me know:-                      1. Whether there is any ad-interim injunction in the suit property as mentioned below?                      2. If yes, till which date was said order made?                      3. What is the ad-interim order passed?                      Schedule:-                      All bank pass and power of dematerialised card making an estimated sum of four lakhs and more of Rs. having in hand and compounded interest and dividend of 17 Bankapan Chatterjee and Dividends of 17 Bankapan Chatterjee and P.S. Popalpara - (Kolkata P.O.) Kolkata - 700024 (Banking V.K.F. Post No. 330) (21500202650)</p>	<p>19/02/25</p>		<p>1. Yes.                      2. Ad interim order of injunction is extended till - 26.02.25.                      3. That the property for ad interim injunction is allowed. Defendant is hereby restrained from lawfully taking possession of the suit property by giving the Plaintiff possession and from disturbing the present possession of the plaintiff till 05.09.24.</p>

File No. KMC-4024/2/2025-EH SECTION/KMC/KMC (Computer No. 112102) Generated from office by UJWAL KUMAR SARKAR, DGBUILDING/KMC, DGBUILDING/KMC, KOLKATA MUNICIPAL CORPORATION ON 01/07/2025 01:44 PM

NOTE # 26 (Attachment : New Document(103).pdf)

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BEFORE THE HON'BLE  
NATIONAL GREEN TRIBUNAL  
EASTERN ZONE BENCH,  
KOLKATA  
MISCELLANEOUS APPLICATION  
NO. 31/2025/EZ  
IN  
ORIGINAL APPLICATION NO.  
124/2024/EZ

In The Matter of:

Abhijit Sarkar

... Applicant

Versus

West Bengal Pollution Control  
Board & Ors.

... Respondents



COMPLIANCE AFFIDAVIT ON  
BEHALF OF THE RESPONDENT  
NUMBER 02, THE KOLKATA  
MUNICIPAL CORPORATION.

SIBOJYOTI CHAKRABARTI  
Advocate  
For The Kolkata Municipal  
Corporation  
Email:  
[subho.advocate@gmail.com](mailto:subho.advocate@gmail.com)  
(M): 9007035534.

12 FEB 2026