

**CRR 1901 of 2021
(Through Video Conference)**

In Re: - An application under Section 401 read with Section 482 of
the Code of Criminal Procedure, 1973
And

In the matter of: **Tamir Hanif @ Tanweer Hanif**

.... Petitioner

Mr. Mrityunjoy Chatterjee,
Mr. Syed Nafirul Islam,
Mr. Ashim Debnath

...For the Petitioner

It appears that the petitioner has preferred an appeal against the order dated March 18, 2021, passed by the learned senior Municipal Magistrate, Calcutta whereby the learned Magistrate convicted the appellant/petitioner under Section 401A/618 read with Section 584/610 of the Kolkata Municipal Corporation Act, 1980, and sentenced the petitioner to suffer simple imprisonment till rising of the Court and to pay fine. The learned Magistrate by the said order also directed the petitioner to demolish the alleged unauthorised construction.

The learned Chief Judge, City Session Court at Calcutta in the appeal Court below in connection with Criminal Appeal No. 112 of 2021, stayed the operation of the order of the learned Magistrate with regard to the imposition of sentence and the realisation of the fine amount, but refused to grant a stay in respect of the demolition order of the unauthorised construction.

Mr. Mrityunjoy Chatterjee, learned advocate, appearing for the petitioner submits that if the order of demolition is implemented, the appeal will be infructuous.

I am not inclined to interfere with the impugned order.

However, I dispose of this revisional application by giving a direction upon the learned Chief Judge, City Sessions Court, Calcutta to dispose of the appeal on merit within a period of six months from date without granting any unnecessary adjournments to either of the parties.

Since, the opposite party will not be prejudiced by the order, this application is disposed of without giving any notice to them.

Accordingly, **CRR 1901 of 2021** is disposed of.

All parties shall act upon the server copy of this order duly downloaded from the official website of this Court.

(Kausik Chanda, J.)