

Ct. 05
Item No.12
22.12.2021
(suvendu)

WPA 20308 of 2021

[Via Video Conference]

**Mayarani Bera
Vs.
State of West Bengal & Ors.**

Mr. Anindya Halder
Mr. Suman Agarwal
.....for the petitioner

Mr. Debjit Mukherjee
Ms. Susmita Chatterjee
.....for the KMC

Mr. Jahar Datta
Mr. Shamim Ul Bari
.....for the State

Affidavit of service filed on behalf of the petitioner is taken on record.

On account of a similar order being passed in WPA 19774 of 2021, the present writ petition is disposed of by granting protection to the petitioner against any order of demolition pursuant to the Notice dated 9th December, 2021 until 9th January, 2022.

The protection is being granted under Section 400(3) of The Kolkata Municipal Corporation Act, 1980.

The petitioner shall be at liberty of taking appropriate steps within 9th January, 2022.

It is made clear that this Court has not gone into the merits of the petitioner's case.

The instruction handed up on behalf of the Kolkata Municipal Corporation records that the petitioner appeared before the Executive Engineer on 9th December, 2021 and the order was passed after hearing the petitioner. The same may be taken on record.

WPA 20308 of 2021 is disposed of in terms of the above.

Urgent photostat certified copy of this order, if applied for, be given to the parties on usual undertakings.

(Moushumi Bhattacharya, J.)