

OD-3

ORDER SHEET

WPO/1225/2021

IN THE HIGH COURT AT CALCUTTA
Constitutional Writ Jurisdiction
ORIGINAL SIDE

MUKESH KUMAR SHAW AND ORS.
-VS-
THE KOLKATA MUNICIPAL CORPORATION AND ORS.

BEFORE:
The Hon'ble JUSTICE SHAMPA SARKAR

Date : 06th December, 2021.

[Via video conference]

Appearance
Mr. Pran Gopal Das, Adv.
Mr. Ram Chandra Agarwal, Adv.
...for the petitioner nos.1 to 5

Mr. Nayan Chand Bihani, Adv.
Mr. Syed Nasirul Hossain, Adv.
...for KMC

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

As the order impugned before this court is an appealable order, the petitioner is granted liberty to prefer an appeal against the order of demolition issued by the Executive Engineer (C), Building Department, in accordance with law.

The petitioner shall also be entitled to pray for interim orders if grounds exist, which shall be considered in accordance with law by the tribunal.

The Kolkata Municipal Corporation shall not take any steps with regard to the alleged demolition for a period of six weeks from date. Thereafter, the Corporation shall act and proceed on the basis of the orders passed by the appellate forum. This Court has not entered into the merits of the claims of the parties.

The writ petition is, thus, disposed of. There shall be no order as to costs.

Parties are to act on the server copy of this order.

(SHAMPA SARKAR, J.)