

OD-6

ORDER SHEET

WPO/1253/2021

IN THE HIGH COURT AT CALCUTTA
Constitutional Writ Jurisdiction
ORIGINAL SIDE

MANAS CHATTERJEE
-VS-
THE STATE OF WEST BENGAL AND ORS

BEFORE:
The Hon'ble JUSTICE SHAMPA SARKAR

Date : 07th December, 2021.

[Via video conference]

Appearance
Mr. Raghunath Chakraborty, Adv.
Ms. Sonali Ghosh Basu, Adv.
...for the petitioner

Mr. Debjit Mukherjee, Adv.
Mrs. Susmita Chatterjee, Adv.
...for the State

Mr. Alak Kumar Ghosh, Adv.
...for KMC

The Court : None appears on behalf of the Kolkata Municipal Corporation.

As Mr. Ghosh, learned advocate usually appears for the Corporation, this Court requests Mr. Ghosh to accept the brief and appear in this matter on behalf of the Corporation.

A copy of the writ petition is handed over to Mr. Ghosh, learned advocate here and now.

As the main order of demolition in connection with which the impugned notice has been issued 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.)