

01.03.2022

Sl. No. 25

Court No.19

B.M.

WPA 15821 of 2021

Tanmay Bhattacharjee

Vs.

The State of West Bengal & Ors.

(Via Video Conference)

Mr. Somnath Gangopadhyay

Mr. Rahul Singh ... for the petitioner

Mr. Biswajit Mukherjee

Mr. Fazlul Hazra ... for Kolkata Municipal Corporation

Mr. Rajarshi Basu

Mr. Parikshit Goswami ... for the State

Affidavit of service filed is taken on record.

The petitioner is aggrieved by the order passed by the Executive Engineer (Civil), Borough-I, Kolkata Municipal Corporation passed in a demolition case. The petitioner had been directed to demolish the unauthorised and illegal construction within a period of five days from the date of issuance of the order.

The order impugned before this Court is an order of demolition which is an appealable order.

The petitioner is granted liberty to prefer an appeal in accordance with law. The petitioner is also entitled to pray for stay of the demolition order before the appellate authority.

There shall be an unconditional stay of the order of demolition for a period of eight weeks. If no order is passed staying the demolition order within the aforesaid period, the Corporation may act and proceed in accordance with law.

This writ petition is, thus, disposed of.

There will be no order as to costs.

All parties are to act on the basis of the server copy of this order.

(Shampa Sarkar, J.)