

Item No. 8

13.12.2022
Ct-24

In The High Court At Calcutta
Constitutional Writ Jurisdiction
Appellate Side

WPA 21316 of 2022
Prasanta Kumar Basu

v.

State of West Bengal & Ors.
with
CAN 1 of 2022

Mr. Soumya Ray
Mr. Shameek Chakraborty
... for the petitioner.

Mr. Abhishek Sikdar
Ms. Sahili Dey
... for KMC.

Ms. Sudipa Ray
Ms. Rupsha Chakraborty
... for the State.

Ms. Sreyanshi Majumdar
... for the respondent nos. 10,11 &12.

Mr. Ujjal Ray
... for the respondent no. 13.

Mr. Saptanshu Basu
Mr. Tapas Kumar Adhikari
Mr. Abhijit Ghosh
... for the applicant.

The order of demolition which the petitioner seeks implementation is under scrutiny before the Municipal Building Tribunal in BT Appeal No. 110 of 2022. Next date before the Tribunal for consideration of the said appeal is December 15, 2022.

The petitioner is not a party in the said proceeding.

As it appears that a statutory appeal is pending consideration before the Municipal Building Tribunal being the appellate forum, accordingly, the parties are given liberty to ventilate their grievances before the said forum.

The Municipal Building Tribunal is requested to make an endeavour to conclude the appeal within June 30, 2023.

An application for addition of party has been filed by the subsequent purchaser of the structure which has been found to be constructed unauthorizedly.

The applicant will be at liberty to approach the Municipal Building Tribunal in the pending appeal along with appropriate application(s) highlighting their grievances. The Municipality Building Tribunal shall consider the application for addition of party and pass necessary order.

The writ petition and the connected application stand disposed of.

Urgent certified photocopy of this order, if applied for, be supplied to the parties expeditiously on compliance of usual legal formalities.

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(Amrita Sinha, J.)