

29.09.2022
Item No.13.
Court No.6.
AB

**M.A.T. 1593 of 2022
With
IA CAN 1 of 2022**

**Sri Ratan Bhattacharya
Vs
The State of West Bengal & Others**

Mr. Dilip Kr. Sailafor the Appellant.

Mr. Soumya Bhattacharya,
Mr. Atanu Bhattacharya
.....for the Respondent Nos.6
to 10 & 12 to 17.

Mr. Meghnad Dutta,
Ms. Nasreen Islamfor the Respondent No.5.

Mr. Tapas Kr. Ghosh,
Mr. Tanmoy Chowdhury.....for the Municipality.

By consent of the parties, the appeal and the application are taken up for hearing together.

This appeal is preferred against an interim order dated September 16, 2022, whereby the learned Single Judge merely directed the Chairman of the Hooghly-Chinsurah Municipality to depute a competent engineer to make a site inspection with prior notice upon all the parties to ascertain as to whether the allegation of the writ petitioner is correct or not.

The learned Judge made the matter returnable on September 29, 2022 i.e., today.

We are told, today the writ petition has been disposed of. The order under appeal has been carried out. The appeal has hence become infructuous. If the

appellant is aggrieved by the final order of the learned Single Judge disposing of the writ petition, he may take appropriate steps in law as he may be entitled to.

Since we have not called for affidavits, the allegations in the stay application are deemed not to be admitted by the respondents.

M.A.T. No.1593 of 2022 is, accordingly, disposed of along with IA CAN 1 of 2022.

Urgent photostat certified copy of this order, if applied for, be supplied expeditiously after compliance with all the necessary formalities.

(Apurba Sinha Ray, J.)

(Arijit Banerjee, J.)