

Sl. No.21
15.11.2022

Court No.24
B.M.

In The High Court At Calcutta
Constitutional Writ Jurisdiction
Appellate Side

WPA 23205 of 2022

Orion Inn Private Ltd. & Anr.
v.
The Kolkata Municipal Corporation & Ors.

Mr. Prosenjit Mukherjee

... for the petitioners.

Mr. Debasish Ghosh

Ms. Piyali Sengupta

Mr. Debraj Shaw

... for the State

Mr. Swapan Kumar Debnath

Mr. Gopal Chandra Das

Mr. Debangshu Mondal

... for the Kolkata Municipal Corporation

The petitioners are aggrieved by the notice issued under Sections 544 and 546 of the Kolkata Municipal Corporation Act, 1980. It appears that the impugned notice was issued in accordance with the order passed by the Senior Municipal Magistrate.

The petitioner has challenged the order passed by the Senior Municipal Magistrate by filing a revisional application before this court and according to the petitioners the said revisional application is pending consideration.

Prima facie, it appears that the impugned notice has been issued in compliance of the direction of the court and there is no error apparent to interfere with the same.

In view of the above, the court declines to exercise jurisdiction in this matter.

The petitioners will be at liberty to seek necessary relief apropos the impugned notice, in the revisional application, if so advised.

The writ petition stands disposed of.

The report filed by the Kolkata Municipal Corporation in court today be taken on record.

Urgent photostat certified copy of this order, if applied for, be given to the parties on completion of usual formalities.

(Amrita Sinha, J.)