

Item No. 12

19.12.2022
Ct-24

In The High Court At Calcutta
Constitutional Writ Jurisdiction
Appellate Side

WPA 26991 of 2022
Dolly Banerjee
v.
State of West Bengal & Ors.

Mr. Supratik Basu
Mr. Shuvam Shaw
Ms. Bratati Pramanick
... for the petitioner.

Sk. Md. Galib
Mr. Gourav Das
... for the State.

Mr. Srijan Nayak
Mr. Jayanta Kumar Dhar
... for KMC.

The petitioner is aggrieved by the notice issued under Sections 544 and 546 of the Kolkata Municipal Corporation Act, 1980 dated December 3, 2022.

It appears from the instruction given by the Executive Engineer(C), Building Department, Borough-I, Kolkata Municipal Corporation that the demolition proceeding has been postponed after receiving the order of status quo dated September 19, 2022 and November 7, 2022 passed by the learned Civil Judge (Senior Division), Sealdah in TS No. 246 of 2022.

It appears from the aforesaid instruction that the reliefs sought for by the petitioner has already been allowed.

In view of the above, there is no requirement of proceeding with the writ petition any further.

The writ petition stands disposed of.

Instruction given by the Executive Engineer(C) dated February 7, 2022 be retained with the records.

Be it recorded that this matter was taken up for consideration by the Court as an urgent matter on December 7, 2022.

The Court directed the Kolkata Municipal Corporation not to proceed any further with the demolition proceeding in view of the order passed by the learned Court below.

The order of the Court was formally not recorded in the file as the officers of the Court were observing pen down on the said date (7th December, 2022).

The learned advocate for the State and the Corporation were present in Court on December 7, 2022.

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.)