

ORDER SHEET

WPO No. 2397 of 2022
IN THE HIGH COURT AT CALCUTTA
Constitutional Writ Jurisdiction
ORIGINAL SIDE

SUFFYA KHAN
Versus
KOLKATA MUNICIPAL CORPORATION & ORS.

BEFORE:
The Hon'ble JUSTICE AMRITA SINHA
Date: 10th August, 2022

Appearance:
Mr. Santanu Chatterjee, Adv.
Mr. Rajendra Kumar Nandi, Adv.
...for Petitioner.

Mr. Gopal Chandra Das, Adv.
Mr. Rudranil De, Adv.
...for KMC.

Mrs. Sipra Majumder, Adv.
Mrs. Debarati Sen (Bose), Adv.
..for State.

The Court:-The appeal filed by the petitioner before the Municipal Building Tribunal has been fixed on 18th August, 2022.

Submission of the learned Advocate for the Kolkata Municipal Corporation is that the entire G+5 storied structure has been constructed without sanction from the Kolkata Municipal Corporation.

Learned Advocate representing the Kolkata Municipal Corporation submits that the date for demolition which was fixed on 11th August, 2022 had already been declared as holiday by the Government of West Bengal and accordingly, demolition work cannot be executed on 11th August, 2022.

The Municipal Building Tribunal is directed to decide the application for stay, if any, filed by the appellant on 18th August, 2022 or latest by 30th

August, 2022. The Municipal Building Tribunal shall take all endeavour to dispose of the appeal within 30th November, 2022.

It is made clear that the Court has not entered into the merits of the impugned order that has been passed by the Special Officer (Building), Kolkata Municipal Corporation on 2nd March, 2020.

Municipal Building Tribunal is directed to decide the appeal on its own merits, in accordance with law.

The writ petition stands disposed of.

Urgent Photostat certified copy of this order, if applied for, be supplied to the parties upon compliance of all legal formalities.

(AMRITA SINHA, J.)

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