

ML 271
03.02.2023
d.p.

**In The High Court At Calcutta
Constitutional Writ Jurisdiction
Appellate Side**

W.P.A 944 of 2022

**Sheo Shankar Singh
-versus
The Kolkata Municipal Corporation & Ors.**

**Mr. Sandeep Prasad Shaw,
Mr. Anupam Some,
Ms. Priyanka Gupta.
...For the Petitioner.**

**Mr. N.C. Bihani,
Mr. Abhishek Sikdar,
Ms. Sahili Dey.
...For KMC.**

**Mr. Debjit Mukherjee,
Mr. K. Bhattacharya.
...For the Private Respondent.**

Affidavit-of-service filed in Court today is taken on record.

The private respondent is facing an order of demolition.

The petitioner seeks implementation of the said order of demolition dated 3rd September, 2021 passed by the Executive Engineer (Building), Borough-XIII and XIV, Kolkata Municipal Corporation, S.S. Unit.

Learned advocate appearing for the private respondent submits, upon instructions that, a

statutory appeal has been filed challenging the order of demolition.

The said appeal being B.T. Appeal No. 43 of 2021 is presently pending consideration before the Municipal Building Tribunal, Kolkata Municipal Corporation.

Learned advocate appearing for the petitioner submits that the petitioner is contesting the said proceeding.

As it appears that the order of demolition is presently under scrutiny before the appellate forum, accordingly, the parties are directed to agitate their claims before the said forum.

The writ petition stands disposed of.

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

(Amrita Sinha, J.)