

15
27.03.2023
d.p.

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

W.P.A 952 of 2022

**Safik Sheikh Chowdhury
-versus
The Kolkata Municipal Corporation & Ors.**

**Mr. Raghunath Chakraborty,
Mr. Monojit Bhattacharya,
Mr. Saikat Karmakar.
...For the Petitioner.**

**Mr. Alak Kumar Ghosh,
Mr. Subhrangsu Panda.
...For KMC.**

The petitioner prays for a direction upon the Municipal Building Tribunal, Kolkata Municipal Corporation to consider and dispose of the appeal being B.T. Appeal No. 54 of 2021.

The present writ petition was filed challenging the order dated 22nd December, 2021 passed by the Tribunal dismissing the application for stay filed by the petitioner in connection with the said appeal.

From the order-sheet of the Tribunal dated 22nd December, 2021, it appears that 17th February, 2022 was the date fixed for receiving the case records.

Learned advocate appearing for the petitioner seeks for a direction upon the Tribunal for disposal of the appeal.

Learned advocates representing both the parties are, however, not sure about the stage in which the appeal is presently pending.

The appeal in question was filed in the year 2021. The stay application stood rejected in December 2021.

The Municipal Building Tribunal is requested to proceed with the hearing of the appeal in accordance with law and to conclude the same, if not already concluded, positively by 31st July, 2023.

The Tribunal shall proceed with the hearing of the appeal without granting any unnecessary adjournments to either of the parties.

The concerned department of the Kolkata Municipal Corporation is directed to forward all necessary documents and the case records in connection with the appeal in question immediately, if not already forwarded earlier.

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.)