

05. 02.03.2023
Ct. No.6
Tanmoy

MAT 319 of 2023

**Jagadish Mukherjee
-Versus-
Smt. Jamuna Mondal @ Mandal & Ors.**

**With
IA No: CAN/1/2023
With
IA No: CAN/2/2023
With
IA No: CAN/3/2023**

Mr. Sakya Sen, Ld. Sr. Adv.,
Mr. Biswajib Ghosh, Adv.,
Mr. Sumitava Chakraborty, Adv.,
Ms. Arpita Das, Adv.

...for the appellant/applicant.

Mr. Rabindra Narayan Dutta, Adv.,
Mr. Hare Krishna Halder, Adv.

...for the State.

Mr. Arka Kumar Nag, Adv.,
Mr. Tirthankar Dey, Adv.,
Mr. S. Banerjee, Adv.

...for the Bidhannagar
Municipal Corporation.

Mr. Tanmoy Mukherjee, Adv.,
Mr. Sounak Bhattacharya, Adv.,
Mr. Amal Saha, Adv.,
Mr. Chandra Nath Sarkar, Adv.,
Mr. Souvik Das, Adv.

...for the respondent no.8.

In Re: IA No: CAN/3/2023

This is an application for leave to prefer appeal against an order dated December 21, 2022, *interim* in nature, passed in WPA 15737 of 2022.

We find that the applicant/appellant will be adversely affected by the order in question. Hence, we grant him leave to prefer appeal.

This application is allowed.

The application being IA No: CAN/3/2023 is disposed of.

In Re: IA No: CAN/1/2023

This is an application for condonation of delay in filing the appeal.

As per noting of the Stamp Reporter, there is no delay.

The application being IA No: CAN/1/2023 is disposed of.

In Re: MAT 319 of 2023
With
IA No: CAN/2/2023

By consent of the appearing parties, the appeal and the connected application are taken up together for hearing.

We have heard learned Counsel for the parties. We find that the order under challenge has been carried out. The appeal has really become infructuous.

The appeal being MAT 319 of 2023 and the connected application being IA No: CAN/2/2023 are disposed of.

It will be open to the appellant to contend at the hearing of MAT 305 of 2023 that he ought not to have been directed to be personally present in Court.

(Apurba Sinha Ray, J.)

(Arijit Banerjee, J.)