

10.05.2023
Item No.06
Court No.6.
S. De

M.A.T. 416 of 2023
With
I.A. No. CAN 1 of 2023
I.A. No. CAN 2 of 2023

Biswajit Nandi.
Vs
Shyamal Roy & Ors.

Mr. Siddhartha Banerjee,
Mr. Gouptam Acharya,
Mr. Rakib Hossain Khan,
Mr. Mainak Chandra,
...for the appellant.

Mr. Raghunath Chakraborty,
Ms. Sabnam Sultana,
Mr. M. Ahmed,
...for the Municipality.

Syed E. Huda,
Mr. Nayeemuddin Munshi,
Sk. Aptabuddin,
...for the respondent no.1.

Mr. Sudipto Panda,
Ms. Munmun Tewary,
...for the State respondents.

Read order dated April 18, 2023.

In that order we had recorded the text of a demolition notice dated February 23, 2023, issued by the Municipality.

It appears that the person responsible and promised in writing to demolish the unauthorized structure. He not having done so within the time period that he had indicated, the Municipality is taking steps for implementation of the demolition order. The Municipality will be at liberty to take steps in accordance with law.

Learned advocate for the appellant seeks liberty to challenge the order dated February 23, 2023, before the appropriate forum in accordance with law. If the appellant has the right to challenge the order under the applicable law, he will be at liberty to do so.

The appeal being MAT 416 of 2023 is disposed of along with the applications being I.A. No. CAN 1 of 2023 and I.A. No. CAN 2 of 2023.

Urgent certified photostat copy of this order, if applied for, shall be given to the parties as expeditiously as possible on compliance with all the necessary formalities.

(Apurba Sinha Ray, J.)

(Arijit Banerjee, J.)