

Item-SL-1.	04-04-2025	CRC 6 of 2025
		Buddhadev Ghoshal
		Versus
sg	Ct. 8	Smruti Ranjan Mohanty, IAS, Ex-Commissioner, Howrah Municipal Corporation & Ors.
		With
		MAT 1892 of 2023
		With
		WPA 6579 of 2023
		With
		CAN 1 of 2025 CAN 2 of 2025

Mr. Joydeep Kar, Sr. Adv
Mr. Supratim Dhar, Sr. Adv
Mr. Tanmoy Mukherjee
Mr. Souri Ghosal
Mr. Ankita Mondal
Mr. Rudranil Das
... For the Petitioner

Mr. Jaynta Kumar Mitra, Sr. Adv
Mr. Sandipan Banerjee
Mr. Ankit Surekha
... For the Contemnor nos. 1 to 6

Mr. Prasenjit Barman
... For the Contemnor nos. 7 and 8

Mr. Mukul Lahiri
Mr. Swapnesh Mallik
... For the Contemnor no. 9

In Re: CAN 1 of 2025

1. It is surprising that although this application was filed on 28th March, 2025 and supposed to be listed on 3rd April, 2025, this application has not been listed today before this Bench.

2. By consent of the parties, this application is treated as on day's list.

3. The application is appearing in the supplementary list today.

4. This is an application filed by the Executive Engineer and the Assistant Engineer-in-Charge (Building) for extension of time to comply with the order dated 15th December 2023 upon 31st May, 2025.

5. Since we have issued a rule of contempt and the alleged contemnors have been directed to explain the delay for not completing the demolition work even within the extended period, we are not inclined to extend the time.

6. However, we have observed in the contempt proceeding that the demolition work is to be completed on or before the matter is fixed for hearing i.e. on 2nd May, 2025.

7. With the aforesaid observation, CAN 1 of 2025 is accordingly, disposed of.

In Re: CAN 2 of 2025

8. Although this application was filed on 2nd April, 2025 in view of the contempt proceeding, the said application has not been listed. Since the contempt matter is now being heard today, we directed the matter to be listed in the supplementary cause list of the day.

9. By consent of the parties, this application is treated as on day's list.

10. This application is at the instance of the promoter,

who had made unauthorized construction and the demolition proceeding is yet to be completed. He has filed an application praying, inter alia, to shift the water tank situated on the portion of the 6th floor roof of the unauthorized portion of the building to the authorized portion with other consequential payers.

11. We have already directed demolition of the unauthorized structure. Whether the petitioner shall be permitted to shift tank is not an issue to be decided in the contempt petition.

12. The petitioner may approach the Corporation for the permission.

13. We have not expressed any opinion on the merits of the application.

14. In view of the above, CAN 2 of 2025 is disposed of.

(Soumen Sen, J.)

(Uday Kumar, J.)