

09.06.2023
Court No. 19
Item No.23
CP

C.O. 1723 of 2023

Onkar Nath Jaiswal
Vs.

The Municipal Commissioner,
The Kolkata Municipal Corporation & ors.

Mr. Partha Pratim Roy
Mr. Anirban Das

....for the petitioner.

Mr. Alak Kr. Ghosh
Mr. Swapan Kr. Debnath

...for the K.M.C.

The petitioner who claims to be a subsequent purchaser of the property situated at 6/25, Podder Nagar, (391/242, Prince Anwar Shah Road), Ward No. 93, Borough-X, Kolkata – 700068, is aggrieved by the order dated May 31, 2023 passed by the learned Municipal Building Tribunal, Kolkata Municipal Corporation.

By this revisional application it is urged that the learned tribunal ought to have passed an ad interim order of stay of the demolition proceedings. The appellant is the subsequent purchaser who was not allegedly heard at the stage of demolition proceedings before the hearing officer.

In any event, as the petitioner has already preferred an appeal against the demolition order, justice demands that the appeal should be heard out, in accordance with law, and the pending

applications should be disposed of within a month from date.

Till disposal of the pending applications, the Kolkata Municipal Corporation shall not take any coercive measures with regard to the subject construction, or until further orders that may be passed by the learned tribunal. It is expected that the appeal should be expedited.

Accordingly, the revisional application is disposed of.

However, there will be no order as to costs.

All the parties are directed to act on the basis of the server copy of this order.

(Shampa Sarkar, J.)