

ML 126
16.01.2023
d.p.

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

W.P.A 16966 of 2021

**Sova Das
-versus
The State of West Bengal & Ors.**

**Ms. Sudipa Ray,
Mr. Sk. Musior.
...For the State.**

**Mr. Dipak Kumar Mukherjee,
Mr. Rajib Kumar Mukherjee.
...For the Municipality.**

**Mr. Supratim Dhar,
Mr. Tirupati Mukherjee.
...For the Private Respondents.**

None appears on behalf of the petitioner.

The petitioner filed the writ petition praying for issuance of writ of mandamus upon the respondent Municipality to demolish the illegal and unauthorized construction at 8, Sukanta Nagar Government Colony No.1 under the Uttarpara-Kotrung Municipality.

It appears from an order dated 30th November, 2021 passed by the Learned Civil Judge, Junior Division, 1st Court, Serampore Hooghly in Misc. Appeal No. 03 of 2021 that the Municipality passed an order of demolition under Section 218 of the West Bengal Municipal Act, 1993 on 8th October, 2021.

The private respondents being aggrieved by the order of demolition preferred the miscellaneous appeal being Misc. Appeal No. 03 of 2021 and by order dated 30th November, 2021, the Learned Court was pleased to restrain the Municipality from giving effect to the said order of demolition till the next date of hearing.

Learned advocate appearing for the private respondents submits, upon instructions, that the said interim order has been extended and the next date is fixed on 7th February, 2023.

Learned advocate appearing for the Municipality admits that the order of demolition had been passed.

From the aforesaid, it appears that the grievance of the petitioner has already been redressed by the Municipality by passing the order of demolition.

No further order is required to be passed in the present writ petition.

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.)