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Ct No 2023
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AGM

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

WPA 19578 of 2022

**Swapan Kumar Paul
Vs
The State of West Bengal & Ors.**

Mr. Ramkrishna Bhattacharya
Mr. Somraj Dhar
Ms. Suman Singh

... For the Petitioner.

Mr. Manas Kundu
Mr. S. Dasgupta

... For the State.

Affidavit-of-service filed in Court today be kept with the record.

The petitioner is aggrieved by the order passed by the Director General (Building) II, KMC on 17th February, 2015. Challenging the said order of demolition, the petitioner preferred statutory appeal before the Municipal Building Tribunal, KMC being B.T. Appeal No. 11 of 2015.

The petitioner apprehends that the KMC may take steps for implementing the order of demolition during pendency of the appeal.

None appears on behalf of the KMC or the private respondents.

There is nothing on record to show that the Corporation is taking steps for demolition of the illegal structure. The writ petition was filed on 25th August, 2022 and there is no immediate necessity or fresh cause of

action to entertain the writ petition.

The petitioner will be at liberty to raise all points before the appellate forum where the statutory appeal is pending.

The writ petition is 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.)