

D/L
Item No. 07
20.12.2023
KOLE

MAT 2405 of 2023
With
IA CAN 1 of 2023

Ranjit Ghosh
-Vs.-
Balai Krishna Ghosh & Ors.

Mrs. Pampa Dey Dhabal,
Mrs. Sangita Banerjee Chakraborty,

...for the appellant.

Mr. Raghunath Chakraborty,
Mr. M. Ahmed,

...for the Municipality.

The appellant assails a judgment and order dated July 19, 2021, whereby WPA 11158 of 2021 filed by the respondent no. 1 herein, was disposed of by a learned Single Judge of this Court. The writ petition was disposed of by directing the Maheshtala Municipality to act and proceed in accordance with law and dispose of the complaint dated June 28, 2021 filed by the writ petitioner complaining of unauthorized construction in accordance with law. The Municipality was directed to give a hearing to the writ petitioner and the private respondents and/or their representatives and pass a reasoned order after making an inspection if required, in the presence of the parties. The Municipality was also granted liberty to take interim measures and was directed to complete the entire exercise within four months from the date of communication of this order.

Being aggrieved, one of the private respondents came up in appeal.

We are told that the order of the learned Single Judge has been carried out. The Municipality has heard the parties and passed an order of demolition dated December 15, 2023. This appeal has, therefore, become infructuous and is accordingly disposed of along with the connected application.

Learned Advocate for the appellant says that the order dated December 15, 2023 was challenged by way of a writ petition which has been dismissed by the learned Single Judge. The writ petitioner is taking steps to prefer appeal against the same. We keep such submission on record.

Urgent photostat certified copy of this order be supplied to the parties, if applied for, as early as possible.

(Arijit Banerjee, J.)

(M. V. Muralidaran, J.)