

24.06.2024

Ct No.6

as

14

MAT 637 of 2024

with

CAN 1 of 2024

Shivaji Roy & Anr.

Vs.

The Howrah Municipal Corporation & Ors.

Mr. Biswanath Chatterjee,

Mr. Sobhan Kr. Pathak.

....for the Appellants.

Mr. Sandipan Banerjee,

Mr. Ankit Sureka,

Mr. Sobhon Majumder,

Ms. S. Ray.

...for the Municipal Corporation.

Mr. Subhasis Chakraborty,

Mr. Sunny Nandy,

Ms. Sushmita Kumari Singh.

...for the Respondent No.5.

Ms. Saheli Sen.

...for the Respondent Nos.6 & 7.

1. Appellants have assailed order dated 11.03.2024 whereby the learned Single Judge was pleased to grant leave the appellants to challenge an order permitting retention of alleged unauthorized construction on payment of fees.

2. Learned Advocate contends illegal construction of such nature that retention is not possible under Building Rules.

3. In view of the fact that the order impugned has not finally decided the issue and liberty has been granted to the appellants to challenge the retention order, we are not inclined to interfere with the order impugned.

4. All issues are kept open.

5. With the aforesaid observation, the appeal and the connected application are disposed of

(Gaurang Kanth, J.)

(Joymalya Bagchi, J.)