

4.
18-04-2024
(Ct. no.06)
debajyoti

**IN THE HIGH COURT AT CALCUTTA
Civil Appellate Jurisdiction
APPELLATE SIDE**

**MAT 686 of 2024
+
IA NO:CAN/1/2024
+
CAN/2/2024**

**Gouranga Jana
Vs.
Dr. Syamal Kumar Lahiri & Ors.**

Mr. Jishnu Choudhury,
Mr. Aritra Basu,
Mr. Shoham Sanyal
... For the Appellant.

Mr. Dibyayan Banerji,
Mr. Abhrajit Roy Chowdhury,
Mr. Nayan Biswas
... For Respondent No.1.

Mr. Somnath Ganguli, learned A.G.P.,
Ms. Priyamvada Singh
... For the State & EKWA.

Mr. Nilotpall Chatterjee
... For Respondent No.4.

Re : CAN/2/2024

An order dated March 06, 2024 passed in WPA No.17901 of 2023 being a writ petition filed by the respondent no.1 herein, is sought to be challenged by the present applicant. The applicant seeks leave to prefer appeal against the said order as he is not a party to the writ petition.

By the order sought to be impugned, the learned Judge has directed disconnection of electric supply to all constructions made on the East Kolkata Wetlands. The applicant says that he purchased the property in question in 2020 and he will be gravely prejudiced

and inconvenienced if electric connection to his property is discontinued.

We are of the view that the applicant should approach the learned Single Judge and urge his case before Her Ladyship. The writ petition is pending. It has been directed to be listed on April 29, 2024. We are not inclined to interfere or grant leave to the applicant to prefer appeal against the order dated March 06, 2024 on the various grounds that the applicant seeks to urge before us, since such grounds were not urged before the learned Single Judge.

We, accordingly, dismiss this application and consequently, the appeal and the connected application for stay, leaving it open to the applicant to approach the learned Single Judge with an appropriate application. The applicant herein would be at liberty to urge all points available to him in law, before the learned Single Judge including the point of jurisdiction.

All parties shall act on the server copies of this order duly downloaded from the official *website* of this Court.

Urgent photostat certified copies of this order, if applied for, be supplied to the parties on compliance of all necessary formalities.

(Prasenjit Biswas, J.) (Arijit Banerjee, J.)