

06.09.2024
Sl. No.29
akd

M. A. T. 1005 of 2024
(CAN 2 of 2024)
(CAN 3 of 2024)

[Puspa Singh -Vs- The State of West Bengal & Ors.]

Mr. Swatarup Banerjee
Mr. Nirmalya Das Gupta
Ms. Ayantika Saha
... .. for the appellant

Mr. Soumya Majumder
Mr. Supratim Laha
Mr. Rajib Mullick
Ms. Shreyashi Maity
... for the respondent no.5

Mr. Tapas Kumar Dey
... for the respondent no.8

Mr. Ayan Banerjee
Ms. Debasree Dhamali
Ms. Riya Ghosh
... .. for Bally Municipality

Mr. Sanjib Das
... .. for the State

1. Respondent no.5-Developer has placed on record order passed by the Civil Judge (Junior Division) 1st Court, Howrah in Other Appeal No.04 of 2024 wherein the demolition order has been stayed.
2. In view of the subsequent development, we dispose of the appeal giving liberty to the appellant to pray for addition of party in the civil proceeding within a fortnight from date. In such event, the Civil Judge shall allow the prayer and the appellant shall be at liberty to canvass her case against the demolition order in the appeal in accordance with law. The order passed by the Hon'ble Single Judge shall abide by the result in Other Appeal No.04 of 2024.

3. We direct the learned Civil Judge (Junior Division) to dispose of the appeal within three months from date without granting unnecessary adjournment to any of the parties including the appellant.
4. In view of disposal of the appeal, connected applications being CAN 2 of 2024 and CAN 3 of 2024 are also disposed of.
5. There shall be no order as to costs.
6. Let photostat certified copy of the order, if applied for, be given to the parties on usual undertaking.

(Gaurang Kanth, J.)

(Joymalya Bagchi, J.)