

12.07.2024
(D/L-17)
Ct.-19
(Susanta)

IN THE HIGH COURT AT CALCUTTA
CIVIL REVISIONAL JURISDICTION

C.O. 2448 of 2024

Rakesh Kumar Nayak
-Vs-
Smt. Santana Dey & Ors.

Mr. M.P Gupta,
Ms. Antara Panja,
Mr. Sartak Singh,
Mr. Aditya Sinha,
... For the Petitioner.

Mr. Abhishek Halder,
Ms. Madhurima Basu,
.... For the Opposite Party.

The instant application under Article 227 of the Constitution is arising out of an appeal under Section 218 (3) of the West Bengal Municipal Act, 1993 pending before the 1st Court of learned Civil Judge (Junior Division), Howrah.

The order of demolition passed by the Administrator of Bally Municipality is under Challenge in the said appeal.

The hearing of the appeal though has been concluded, but the Appeal Court below, by the order no. 17 dated June 19, 2024 has asked the Municipal Authority to produce the true copy of the Peon Book for the period from *October, 2022* to *March, 2023* and liberty was granted to the learned advocate for the parties to place their views and arguments in respect of the said documents.

The grievance of the petitioner is that by the subsequent order dated July 04, 2024, the Appeal Court below has denied the petitioner to exercise the said liberty.

The Certified Copy of the order no. 18 dated July 04, 2024 speaks otherwise, as by the said order, the Appeal Court below had fixed *July 09, 2024* as the date for extension of the interim order and further clarification, if any.

The petitioners, if intend to, can avail the said opportunity. The Appeal Court is however requested to bring the said appeal to its logical conclusion, expeditiously.

C.O. 2448 of 2024 is disposed of with the above terms without any order as to costs.

Parties to act on the server copy of this order duly downloaded from the official *website* of this Court.

Urgent Photostat certified copy of this order, if applied for, be supplied to the parties subject to compliance with all requisite formalities.

(Biswajit Basu, J.)