

08.01.2024
Serial no.11
Aloke
Ct. No. 30

CRR 3311 of 2023

**Sanjay Kumar Sharma
Vs.
The State of West Bengal & Anr.**

Mr. Ranojoy Chatterjee
Mr. Tamal Singha Roy
... for the petitioner

Mr. Anwar Hossain
Ms. Sreyashee Biswas
... for the State

Heard the learned counsel for the petitioner and the State.

The present revision has been preferred praying for transfer of impugned proceedings in G.R. Case No. 79 of 2015 arising out of English Bazar P.S. Case No. 13/15 dated 07.01.2015 under Section 204A of the West Bengal Municipal Act, 1993 from the Court of Judicial Magistrate 3rd Court at Malda to any other Court within the State of West Bengal except the District of Malda and also to stay the proceeding.

By way of a supplementary affidavit the petitioner has annexed an order dated 30.08.2023 passed in WPA 2253 of 2023 wherein the Court has categorically held as follows :

“After the Municipality has regularized the construction made by the petitioner, there is hardly any requirement for causing spot inspection of the selfsame construction which was initially held to be unauthorized.

In view of the above, the Municipality is restrained from proceeding any further with the impugned notice.

The petitioner will, however, not make any construction in deviation of the plan that has been sanctioned by the Municipality”.

Accordingly, considering the said order, the learned counsel for the petitioner submits that present revision has now become infructuous.

Accordingly, the revisional application is disposed of as infructuous.

All connected application, if any, stands disposed of.

Interim order, if any, stands vacated.

Let a copy of the order be sent to the learned trial court for compliance.

(Shampa Dutt (Paul), J.)