

*In The High Court At Calcutta
Civil Revisional Jurisdiction*

C.O. 3183 of 2024

Sri Saraswati Pramanik

Vs.

Suhrid Ghosh & Ors.

Mr. Sandip Das

...For the petitioner.

In the instant application under Article 227 of the Constitution of India, the order no. 11 dated August 07, 2024 passed by the 2nd Court of learned Civil Judge (Junior Division) at Diamond Harbour, District – 24 Parganas (South) in Misc. Appeal No. 01 of 2024, an appeal under Section 218(3) of the West Bengal Municipal Act, 1993 is under challenge.

The Appeal Court below, by the order impugned has stayed the order of demolition under challenge in the said appeal.

Mr. Sandip Das, learned advocate for the petitioner submits that the appeal Court below since has refused the prayer of the appellant for injunction, should not have stayed the operation of the order of demolition.

The prayer for injunction is misconceived but refusal to grant of stay, as prayed for, would render the said appeal infructuous, therefore the order impugned does not call for any interference.

C.O. 3183 of 2024 is dismissed 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.)