

S/L
Item No. 01
06.03.2024
KOLE

**MAT 2438 of 2023
With
IA CAN 1 of 2023**

**The Board of Councilors, Maheshtala Municipality & Ors.
-Vs.-
Santanu Chowdhury & Ors.**

Mr. Debasish Kundu,

...for the appellants.

*Mr. Rajarshi Basu,
Mrs. Neelam Singh,*

...for the State.

On March 4 of 2024, this matter was directed to be listed today. Inadvertently it has not been listed.

However, Mr. Kundu, learned Senior Counsel, representing the appellant/Municipality says that in view of the orders passed by the Civil Court in the pending suit between the private parties, subsequent to the order passed by the learned Single Judge which is under appeal, the Municipality is not interested to press the appeal. However, the observations made by the learned Single Judge in the order impugned in this appeal, should have no bearing on the proceedings before the learned Civil Judge. We think that the Municipality is taking a fair stand.

MAT 2438 of 2023 and the connected application are treated as on day's list and dismissed as not pressed.

We clarify that the learned Civil Court shall decide the suit pending before it in accordance with law and uninfluenced by any observations made by the learned Single Judge in the order which is assailed in this appeal.

(M. V. Muralidaran, J.) (Arijit Banerjee, J.)