

Item No. 11

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IN THE HIGH COURT AT CALCUTTA
CIVIL REVISIONAL JURISDICTION
APPELLATE SIDE

CO 1090 of 2023

**Sri Ujjwal Kumar Das Chakraborty
Vs
The Officer-in-Charge H.M.C. Borough VI & Ors.**

Mr. S.T. Mina,
Mr. Tratick Sardar.

... for the petitioner.

1. This revisional application has been filed assailing the order dated 6th February, 2023 passed in connection with Misc. Appeal No. 16 of 2023, wherein Learned District Judge, Howrah admitted the Misc. Appeal and direction was given to the appellant to file necessary requisites for issuing notice. This appeal has been preferred being aggrieved by an order dated 24.01.2023 passed by the Learned Civil Judge (Senior Division), 3rd Court, Howrah in connection with Title Suit No. 45 of 2023.
2. Learned counsel appearing on behalf of the petitioner has submitted that the order of demolition passed by the Howrah Municipal Corporation has been assailed in the Title Suit No. 45 of 2023 before the Court of Leaned Civil Judge (Senior Division), 3rd Court, Howrah which was refused and being aggrieved the Misc. Appeal No.

16 of 2023 was preferred and by the order dated 6th February, 2023 the impugned order was passed by the learned District Judge with a direction upon the appellant to file requisite for issuing notice upon the respondents.

3. This order, in my opinion, does not require any kind of interference. It is reported that the Misc. Appeal has already been fixed for hearing on 17th February, 2025.
4. In the aforesaid facts and circumstances, I find no reason to ask the petitioner to serve notice upon the opposite parties.
5. Accordingly, the service of notice upon the opposite parties stands dispensed with.
6. The revisional application has become devoid on merit and stands dismissed. However, the Learned District Judge, Howrah is requested to dispose of the Appeal on the date fixed for hearing of the same.
7. Urgent photostat certified copy of the order, if applied for, be given to the parties on usual undertakings.
8. All parties shall act on the server copy of this order duly downloaded from the official website of this Court.

(Bibhas Ranjan De, J.)

