

21
16.9.2025
Ct. No. 1
SB

FMA 1086 of 2025
CAN1 of 2025 (stay)

Rashid Manzar
Vs.
Nadeem Sarwar & Anr.

Mr. Neguive Ahmed ... for the plaintiff

Mr. Javed K. Sanwarwala
Mr. S. A. Sanwarwala
Ms. Sadaf Aafrin ... for the respondents

Mr. Alak Kr. Ghosh
Ms. Manisha Nath ... for the K.M.C.

1. Report filed by the Executive Engineer (C)/ Bldg./ Br-V dated 10.9.2025 is taken on record.
2. Let the report be circulated amongst the appearing parties.
3. Prima facie it appears that the construction is as per the sanctioned plan. However, the said finding of the corporation may be independently challenged if the appellant is aggrieved by the said report.
4. In view of the fact that the appellant is in possession of the suit premises, his possession should not be disturbed and he should not be dispossessed without due course of law.
5. With the aforesaid, the appeal and the application are disposed of.

[Soumen Sen, C.J. (Acting)]

(Apurba Sinha Ray, J)