

D/L- 20
26/06/2025
Ct. No.-6
Aritra

C.O. 1674 of 2025

Sri Dipankar Pal
Vs.
The Chairman, Ranaghat Municipality & Anr.

Mr. Susenjit Banik
Mr. Mrinal Saha

...for the petitioner

Mr. Achintya Kumar Banerjee
Ms. Indumouli Banerjee

....for the Municipality

This matter is appearing under the heading 'Extension of Interim Order'. However, with the consent of the learned advocates for the respective parties this matter is taken up for final hearing by treating the same as on day's list and the learned advocates for the respective parties were heard on the merits of the civil revision application.

This application under Article 227 of the Constitution of India is at the instance of the owner of an impugned construction challenging the notices dated March 22, 2025 and April 22, 2025.

Since an appeal is pending, this Court is of the considered view that unless an interim protection is granted, the order of demolition may be implemented, and the instant appeal will become infructuous.

Mr. Banerjee, learned advocate appearing for the municipality submits that July 8, 2025 has been fixed for hearing of the miscellaneous appeal.

In the light of the submissions made by the learned advocate for the parties, CO 1674 of 2025 stands disposed of by requesting the learned Civil Judge (Jr. Div.), 1st Court at Ranaghat, District-Nadia to take up the hearing of the Miscellaneous Appeal No.2 of 2025 on the next date fixed i.e. on July 8, 2025, if the same is otherwise ready for hearing and to make an endeavour to see that the same is disposed of as expeditiously as possible on or before September 26, 2025 without granting any unnecessary adjournments to either of the parties.

There shall be an order of stay of operation of the notices dated March 22, 2025 and April 22, 2025 till the disposal of the Miscellaneous Appeal No.2 of 2025.

In view of the interim order passed by this Court nothing survives to be decided on the application for injunction filed by the petitioner herein in Miscellaneous Appeal No.2 of 2025 and, therefore, the same accordingly stands closed.

There will be no order as to costs.

Urgent photostat certified copy of this order, if applied for, be supplied to the parties upon compliance with all requisite formalities.

(Hiranmay Bhattacharyya, J.)