

CO 1728 of 2025**Asit Mukherjee**
vs.
The Panihati Municipality & Ors.

Mr. Kushal Chatterjee

Mr. Oishik Chatterjee

....for the Petitioner

Mr. Habibur Rahaman

Mr. Archisman Singh

.....for the opposite party Nos. 6 & 7

The petitioner is directed to serve a copy of this application upon the opposite parties.

The grievance of the petitioner is that the learned Civil Judge (Junior Division), 2nd Court at Barrackpore fixed the date for hearing of the stay application on 2nd June, 2025 and in the meantime the Municipality is taking steps to demolish the building of the petitioner. The petitioner apprehends that the Municipality may take steps for demolition in the meantime.

Since the hearing of this stay application has been fixed only on 2nd June, 2025, this Court is of the considered view that interest of justice would be subserved if the Municipality is restrained from taking any steps for demolition for a limited period, till June 13, 2025 or until further orders whichever is earlier.

The authorities of the Panihati Municipality are restrained by an order of injunction from taking any steps for demolition till June 13, 2025 or until further order whichever is earlier.

The Civil Judge (Junior Division), 2nd Court at Barrackpore is requested to take up the hearing of the

stay application on 2nd June, 2025 and to dispose of the same as expeditiously as possible.

The opposite parties herein will be at liberty to file a written objection to the stay application on or before the next date of hearing upon serving an advance copy of such written objection to the learned advocate for the petitioner on or before May 23, 2025.

With the above observations CO 1728 of 2025 stands disposed of.

It is, however, made clear that this Court has not gone into the merits of the claims and counter-claims of the respective parties and the learned Judge shall be free to dispose of the same as expeditiously as possible.

Typed copy filed by the petitioner be taken on record.

Urgent photostat certified copy of this order, if applied for, be furnished to the parties expeditiously upon compliance of all legal formalities.

(Hiranmay Bhattacharyya, J.)