

21.11.2025
Court No.13
Item Nos. 8
sp

RVW 251 of 2025

With

CAN 1 of 2025

Subir Karati

Vs.

The Howrah Municipal Corporation & Ors.

Mr. Tapan Kumar Rakshit,
Mr. Surajit Roy.

.

.... For the appellant/applicant.

Mr. Sandipan Banerjee,
Mr. Ankit Sureka.

..for the Howrah Municipal Corporation.

Ms. Sabnam De Bardhan,
Ms. Kakoli Naskar.

..for the State.

Mr. Tanmoy Mukherjee,
Mr. Souvik Das.

..for the respondent no. 8.

1. Review of this Court's order dated 9th June, 2025 is sought on the ground that an earlier Co-ordinate bench vide order dated 31st October, 2019 in MAT 1560 of 2019 had directed demolition of the original unauthorized Ground + 2 storied building constructed by the private respondent.

2. This Court had recorded in the said order dated 9th June, 2025 that the Howrah Municipal Corporation in their wisdom has already granted a sanction plan to the private respondent to erect Ground + 1 storied structure in terms of an order dated 4th March, 2025 passed by a Co-ordinate bench in MAT 95 of 2025.

3. Learned counsel for the review applicant submits that the observation of this Court in paragraph no. 3 of the order dated 9th June, 2025, permitting the HMC to direct demolition of any old structure, if so required, has empowered the HMC to deviate from the directions contained in the order dated 31st October, 2019 (*supra*).

4. The grant of a fresh sanctioned plan to the private respondent has altered the entire facts and circumstances of the case, the orders passed by Single and Division Benches prior to 9th June, 2025, would no longer be relevant. It is in that light that this Court had permitted the HMC to require the private respondent to demolish the old structure only to the extent that they deemed necessary.

5. It would not be out of place to mention that another Single Bench of this Court has in order dated 15th September, 2022 passed in CPAN 1385 of 2019 arising out of WPA 8376 of 2019 has observed that the HMC has partially demolished the old structure and has left the remaining structure since, its demolition may affect the surrounding buildings.

6. In the light of the above, this Court finds no reason to review the order dated 9th June, 2025.

7. Hence, RVW 251 of 2025 shall stand dismissed.

8. In view of the above, CAN 1 of 2025 shall also stand dismissed.

9. There shall be no order as to costs.

10. All parties shall act on the server copy of this order duly downloaded from the official website of this Court.

(Rajasekhar Mantha, J.)

(Ajay Kumar Gupta, J.)