

D/L- 44
16/09/2025
Ct. No.-6
Aritra

C.O. 3449 of 2025

**Sri Swapan Kumar Mondal
Vs.
Sri Nani Gopal Sinha & Ors.**

Mr. Dipnarayan Chakraborty

....for the petitioner

The petitioner who is the complainant alleging unauthorised construction being made by the opposite party No.1 has approached this Court being aggrieved by the delay in disposal of the municipal appeal which is pending since the year 2019.

The learned advocate appearing for the petitioner submits that a caveat was lodged by Mr. Arijit Dey, learned advocate. He, however, submits that through inadvertence the copy of the civil revision application was not served upon the caveator.

In view of the order sought and proposed to be passed this Court feels that there is no necessity to direct service of the civil revision application upon the learned advocate for the caveator. However, the learned advocate for the petitioner shall be obliged to forward a copy of this application along with this order upon the learned advocate who lodged the caveat or the learned advocates representing the opposite parties before the learned trial judge.

From the order sheets appended to this application, this Court finds that August 4, 2025 was fixed for hearing of the municipal appeal.

In the light of the submission made by the learned advocate for the petitioner, this Court is of the considered view that the interest of justice would be sub-served if the learned Civil Judge (Jr. Div.), 2nd Court at Barrackpore is directed to dispose of the Municipal Appeal No.2 of 2019 expeditiously.

In view thereof, CO 3449 of 2025 stands disposed of by requesting the learned Civil Judge (Jr. Div.), 2nd Court at Barrackpore to make an endeavour to dispose of the Municipal Appeal No.2 of 2019 as expeditiously as possible but preferably within a period of 3 months from the next date fixed, without granting any unnecessary adjournments to either of the parties.

This order has been passed taking note of the fact that the municipal appeal arises out of an order of demolition passed by the concerned municipality and the same is pending from the year 2019.

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.)