

IN THE HIGH COURT AT CALCUTTA
CONSTITUTIONAL WRIT JURISDICTION
ORIGINAL SIDE

WPO/440/2025
JYOTI LAL SHAW
VS
THE KOLKATA MUNICIPAL CORPORATION AND ORS

BEFORE :
THE HON'BLE JUSTICE RAJA BASU CHOWDHURY
Date : 1st December, 2025.

Appearance:
Mr. Jagannath Ganguly, Adv. [VC]...for petitioner.
Mr. Srijain Nayek, Adv.
Ms. Gulnaz Quraishi, Adv. ...for KMC.

1. Pursuant to the order dated 6th November, 2025 a report has been filed by the Municipality wherefrom it would transpire that the demolition order has been carried in appeal being BT Appeal no.90 of 2024, which is sub judice before the Municipal Building Tribunal. The said matter has been fixed on 8th January, 2026 for hearing of an application dated 29th January, 2025 filed by Jyoti Lal Shaw praying for addition of party.
2. According to the report there is no stay order passed in connection with the demolition order by the Municipal Building Tribunal.
3. Noting that an appeal is pending consideration, in my view it shall not be prudent for this Court to direct implementation of the demolition order as in the event the demolition order is implemented, the same would render the appeal filed by the private respondent infructuous. As such, in my view, that instead of retaining the matter on the file, the writ petition can be disposed of by directing the Municipal Building Tribunal to make an endeavour to expeditiously dispose of the pending appeal preferably within 3 months from the date of communication of the order.
4. Writ petition, accordingly, stands disposed of.

(RAJA BASU CHOWDHURY, J.)