

30.07.2025
Item No.114.
Court No.06.
S. De

C.O. 164 of 2024

**Usha Devi.
Vs
State of West Bengal & Ors .**

Mr. Raghunath Chakraborty,
Ms. Manisha Nath, ...for the opposite party no.9

Mr. Achintya Kumar Banerjee,
Mr. Subrata Sikdar, ...for the K.M.C.

This application under Article 227 of the Constitution of India is at the instance of the person responsible and is directed against an order dated March 9, 2023, passed by the learned Chairman, Municipal Building Tribunal, KMC in B.T. Appeal No.16 of 2021. By the order impugned, the order dated May 10, 2021 passed by the S.O. (Building) of KMC in Demolition Case No. 14-D/Br.-XV/2021 in respect of the premises no.O-138/C, Mudiali Road, Ward No.136 of KMC, Borough XV, Kolkata was affirmed and the petitioner herein was directed to demolish the entire structure within the time limit indicated in the said order and, in default, the Kolkata Municipal Corporation was given liberty to demolish the entire structure and to realize the cost for demolition from the person responsible.

Mr. Sanyal learned advocate appears and submits that he has already given no objection to the petitioner.

However, none appears for the petitioner. No accommodation has been sought for either.

It has been submitted by the learned advocate for the respective parties that though an interim order of stay of operation of the order of the Special Officer (Building), Kolkata Municipal Corporation and the Municipal Building Tribunal was passed on January 22, 2024, but the same expired due to the efflux of time. No steps have been taken for extension of such interim order.

It will be open to the parties to take appropriate steps in accordance with law.

Let this matter go out of the list.

(Hiranmay Bhattacharyya, J.)