

Item No. 158

01.7.2026
Court. No. 12
Cp

MAT 832 of 2026
With
CAN 1 of 2026

Sikander Azad Shaikh
Vs.
Irshad Ali & Ors.

Mr. Partha Sarathi Das
Md. U. Siddhique
Ms. P. Panda
Ms. Sudipa Das
Ms. Swarnali Ghosh

.....for the appellant.

1. CAN 1 of 2026 is an application for appropriate order.
2. The appeal is not maintainable. One of the alleged co-sharers of the property which was the subject matter of the writ petition has preferred the appeal.
3. One Irshad Ali filed the writ petition, being WPA 29395 of 2025. On the basis of the report filed by the Kolkata Municipal Corporation, the learned Single Judge held that, steps had already been taken by the corporation and a 'stop work' notice had been issued. Her Lordship also held that, as the corporation had already taken steps in accordance with law, nothing remained to be decided in the writ petition.
4. The appellant claims to be one of the co-sharers of the property. He is unhappy with the order of Her Lordship and submits that further direction should have been passed on the corporation, to act in a time-bound manner and demolish the alleged construction. The

appellant seeks to rely on certain factual issues with regard to the directions passed by a civil court.

5. We are of the view that, the appellant has a separate cause of action. He has his remedy before the appropriate forum. The order impugned was accepted by the writ petitioner. It is presumed that the grievance of the writ petitioner was met.
6. Consequently, the proceedings are dismissed.
7. Parties are directed to act on the basis of the server copy of this order.

(Shampa Sarkar, J.)

(Smita Das De, J.)