

07.01.2026.
Item No. 6.
Court No. 13
ap

M.A.T. 2177 of 2025
With
I.A. No. CAN 1 of 2025
And
I.A. No. CAN 2 of 2025

Mehboob Khan & Ors.
Versus
The Howrah Municipal Corporation & Ors.

Mr. Anindya Ghosh,
Ms. Priya Sisgar.

...For the appellants.

Mr. Sandipan Banerjee,
Mr. Ankit Sureka.

...For the HMC.

Re: CAN 1 of 2025 (Condonation)

1. Affidavit-of-service filed in Court today be taken on record.
2. Sufficient grounds are not available to explain the delay of 204 days in filing the instant appeal.
3. A bald statement as regards the medical treatment and financial constrains of the appellants are not acceptable to this Court.
4. The learned Single Judge of this Court has recorded that the appellants have constructed three additional floors in their property without sanction or permission from the Howrah Municipal Corporation.
5. The explanation of the appellants that they have paid the retention money to the Howrah Municipal Corporation is strongly disputed by the latter. The retention money was towards minor deviations in respect of the original sanction plan.

6. Counsel for the Howrah Municipal Corporation submits that they have not permitted or regularized the construction of three additional floors.

7. Having regard to the above, this Court is not inclined to condone the delay in preferring the instant appeal. The application for condonation of delay being CAN 1 of 2025 shall stand dismissed.

8. In view of dismissal of CAN 1 of 2025, M.A.T. 2177 of 2025 and the connected application being CAN 2 of 2025 are dismissed.

9. There will be no order as to costs.

10. All parties are directed to act on a server copy of this order duly downloaded from the official website of this Court.

(Rajasekhar Mantha, J.)

(Ajay Kumar Gupta, J.)