

14.05.2026
Item No.15
Ct. No. 1
PG

M.A.T. 2295 of 2024
With
I.A. No. CAN 1 of 2024
With
I.A. No. CAN 2 of 2024
Sk. Sajid & Ors.
Vs.
Miss Shagufta Sulaiman & Ors.

Mr. Chandra Sekhar Jha
Mr. Aditya Kumar
Mr. Hritik PanditFor the appellants

Ms. Shagufta Sulaiman
.....For the respondent no.1/
writ petitioner

Mr. Alak Kr. Ghosh
Mr. Subhrangshu Panda...For the Kolkata
Municipal Corporation

DICTATED BY SUJOY PAUL, CJ.:

1. Sri Chandra Sekhar Jha, learned
counsel appears for the appellants, Ms.
Shagufta Sulaiman, respondent
no.1/writ petitioner appears in person
and Mr. Alak Kr. Ghosh, learned
counsel represented the Kolkata
Municipal Corporation.

In Re: I.A. No. CAN 1 of 2024

2. On consent of the parties the
application for condonation of delay in

presentation of the appeal is taken up. Having heard learned counsel for the parties, we find sufficient reason to condone the delay in filing the instant appeal. Accordingly, I.A. No. CAN 1 of 2024 is allowed.

In Re: M.A.T. 2295 of 2024

3. This intra-Court appeal takes exception to an interlocutory order dated 03.07.2024. The main writ petition (W.P.A. 15160 of 2024), wherein said interlocutory order was passed is still pending.
4. Learned counsel for appellants submits that the present appellants were respondent nos. 16 to 21 in W.P.A. 15160 of 2024 but without putting the present appellants to notice and without hearing the appellants, the impugned order has been passed.
5. It is submitted that appellants are facing the threat of demolition and

therefore, impugned order of learned Single Judge may be stayed.

6. The prayer is opposed by the respondents.

7. On a specific query from the Bench, learned counsel for appellants could not point out any pleading to show that in W.P.A. 15160 of 2024, they were not put to notice by the writ Court. In absence thereof, we find no reason to accept the oral submission. The order impugned is interlocutory in nature. If appellants have not been heard by learned Single Judge, it is open to the appellants to file appropriate application seeking modification/correction/clarification/annulment of the order dated 03.07.2024 to the extent it adversely affects the present appellants.

8. Since that remedy is available to the appellants and appellants could not make out a case before this Court,

interference is declined. Even otherwise, intra-Court appeal against the interlocutory order is not maintainable because of the remedy available to the appellants to file said application.

9. The appellants are free to file said application before the learned Single Judge.

10. With this observation and without expressing any opinion on merits, the appeal and the connected application (I.A. No. CAN 2 of 2024) are **disposed of.**

11. Urgent photostat certified copy of this order, if applied for, be furnished to the parties expeditiously upon compliance of all legal formalities.

(SUJOY PAUL, CJ.)

(PARTHA SARATHI SEN, J.)