

ORDER SHEET
IN THE HIGH COURT AT CALCUTTA
CIVIL APPELLATE JURISDICTION
ORIGINAL SIDE

APO /100/2025
IA NO:GA/1/2025
RESHMA HOSSAIN
-VS-
STATE OF WEST BENGAL AND ORS

BEFORE:

The Hon'ble JUSTICE RAJASEKHAR MANTHA

And

The Hon'ble JUSTICE AJAY KUMAR GUPTA

Date: January 20, 2026.

Mr. T.K. Mukherjee, Adv.; Ms. S. Roy, Adv., appear.
Mr. G. Mitra, Adv.; Ms. M. Nath, Adv., appear.

1. The Court: The appeal is directed against an order dated November 20, 2025, passed by a Single Bench of this Court.
2. The writ petitioner-appellant before this Court claims to be the real owner of the property at premises no.765/2, Taltolla Lane, P.S. Taltolla, demolition whereof has been ordered by the Special Officer(Building) of the KMC. The building was deemed unauthorized by the Special Officer(Building).
3. An appeal no.37 of 2023 appears to have been filed by persons unknown to the appellant-writ petitioner being the landlord of the said premises.
4. The writ petitioner sought implementation of the order of the Special Officer (Building), i.e. demolition of the unauthorized structure.

5. In that view of the matter, since the appellant is vitally interest in the property in question, he is entitled to participate in any appeal in respect of the property in question.
6. In that view of the matter, the impugned order, to the extent that it disallowed the prayer of the appellant to participate in the appeal before the Municipal Building Tribunal, is set aside. The appellant shall be entitled to participate in Appeal No.37 of 2023 as an intervener.
7. The Municipal Building Tribunal shall hear out the appellant herein in Appeal No.37 of 2023 and pass appropriate orders as expeditiously as possible. The Municipal Building Tribunal is requested to dispose of the Appeal NO.37 of 2023 within a period of two months from the date of receipt of the application for intervention from the appellant.
8. With the aforesaid observations, the impugned order shall stand modified.
9. APO/100/2025 along with the connected application accordingly stands disposed of.

(RAJASEKHAR MANTHA, J.)

(AJAY KUMAR GUPTA, J.)