

**Sharwan Kumar Damani and ors.Vs. the State of West Bengal and ors.**

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**SooperKanoon Citation :** [sooperkanoon.com/906085](http://sooperkanoon.com/906085)

**Court :** Kolkata

**Decided On :** Oct-28-2010

**Judge :** I . P. Mukerji, J.

**Appeal No. :** TA No. 55 of 2010

**Appellant :** Sharwan Kumar Damani and ors.

**Respondent :** The State of West Bengal and ors.

**Advocate for Def. :** Mr. M. K. Sarkar, Adv.

**Advocate for Pet/Ap. :** Mr. Abhrojit Mitra ; Mr. J. Chowdhury ; Mr. Nilay Sengupta, Adv.

**Judgement :**

The Court : One of the grounds in this writ application is that the Kolkata Municipal Corporation has not dealt with the application of the petitioners before the Director General (Building). He was required to consider it and pass an order by 12th of October, 2010 by the Courts order dated 4th October, 2010.

Instead fresh complaints have been filed by the Kolkata Municipal Corporation with the police with regard to alleged illegal construction being made by the petitioner. Mr. Mitra, learned counsel appearing for the petitioners, assures the Court that no construction work will be done from today till further orders of the Court. He also submits that no construction work was being done in recent times.

Therefore, I make this application returnable on 22nd of November, 2010 before the Regular Bench. In the meantime, the Kolkata Municipal Corporation is to strictly comply with the earlier order of this Court dated 4th of October, 2010 in WP No. 1193 of 2010. Till 26th of November, 2010 or till further order, whichever is earlier, the Kolkata Municipal Corporation or the Kolkata Police will not take any steps in terms of the above complaint. All parties concerned are to act on a signed photocopy of this order on the usual undertakings.

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