

D/L- 36
10/09/2025
Ct. No.-6
Aritra

C.O. 3365 of 2025

Prasanta Kumar Bajaj & Ors.
Vs.
The Chairman, Dum Dum Municipality & Ors.

Mr. Shyamal Kr. Das
Mr. Pronojit Roy
Ms. Krishna Yadav

....for the petitioners

By the order impugned, the application under Section 5 of the Limitation Act in connection with an appeal filed under the provisions of Section 218 (3) of the West Bengal Municipal Corporation Act, 1993 stood rejected.

The learned advocate appearing for the petitioner placed reliance upon a decision of a co-ordinate Bench in the case of **Chanchal Kumar Das vs. The Chairperson, Board of Administrators, Rajpur Sonarpur Municipality**, reported at **2022 (2) CHN (Cal) 363** in support of his contention that the Limitation Act has no manner of applicability in preferring an appeal under Section 218 (3) of the 1993 act.

Petitioners are directed to serve a copy of this application upon the opposite parties by registered speed post with acknowledgement due and file an affidavit of service on the next date.

There shall be an order of stay of operation of the demolition order dated July 11, 2024 passed by the

Authorities of Dum Dum Municipality till the end of the month of February, 2026 or until further orders, whichever is earlier.

List this matter under the heading 'Motion' in the monthly list of December, 2025.

(Hiranmay Bhattacharyya, J.)