

12-12-2023
Court No.3
g.b./S.A./02

**CALCUTTA HIGH COURT
CIRCUIT BENCH AT
JALPAIGURI
Appellate Jurisdiction**

W.P.A. 2845 of 2023

**Sukhdeo Prasad Gupta @ Jaiswal @
Sukhdev Prasad jaiswal & Ors.
Vs.
The State of W. B. & Ors.**

Miss Sidhi Sethia
Miss Rima Sarkar
.....For the Petitioners
Mr. Momenur Rahman
Mr. Nabankur Paul
.....For the State
Mr. Deborshi Dhar
....For Siliguri Municipal Corporation
Mr. Bikramaditya Ghosh
Ms. Supriya Singh
.....For the Respondent Nos. 8 to 11

I have heard the parties.

Now the question has been boiled down to the building plan of the building.

I direct the Siliguri Municipal Corporation to produce the sanctioned building plan from their own record as the respondent nos. 8, 9, 10 and 11 have submitted that the original building plan is misplaced and they have only copy of the building plan.

I direct the said respondents to produce the copy of the building plan tomorrow when the matter will be taken up. The record of the sanctioned building plan and also the sanctioned building plan have to be

submitted before this court by the municipal authority.

As this is the season of marriage and as the building has already been booked by some families for holding their marriage ceremony, I hold that for some days till the final order is passed in this matter by this court, the marriage ceremonies can be held but the sole responsibility, if any untoward incident happens in the said building, shall be on the trust and also on the party who has taken the building on contract for holding such marriage ceremony and other ceremonies. To this extent the order passed yesterday is modified.

The order of payment of Rs. 1 lakh yesterday passed by this court that was directed to be paid by the petitioner no.3 is also recalled. They need not pay any amount of money.

List the matter tomorrow (13.12.2023) at the top.

(Abhijit Gangopadhyay , J.)