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ORDER SHEET

IA NO.GA/2/2023
WPO No.274 of 2023
IN THE HIGH COURT AT CALCUTTA
Constitutional Writ Jurisdiction
ORIGINAL SIDE

BISWAJIT GOSWAMI
-Versus-
KOLKATA MUNICIPAL CORPORATION & ORS.

BEFORE:
The Hon'ble JUSTICE AMRITA SINHA
Date: 21st April, 2023.

Appearance:

Mr. Tapas Dutta, Adv.
Mr. Mritunjoy Halder, Adv.
.... for the Petitioner.

Mr. Alak Kumar Ghosh, Adv.
Mr. Gopal Chandra Das, Adv.
... for KMC.

Mr. Sidhartha Sharma, Adv.
Mr. Rishav Dutt, Adv.
Mr. Rohit Bhattacharjee, Adv.
Mr. Aman Kataruka, Adv.
.. for Respondent No.6.

The Court:-The petitioner has filed an application and prays for a direction for taking up the writ petition for final hearing.

The petitioner alleges illegal and unauthorised construction against the respondent no.6. The Court is yet to pass any order for filing opposition in the matter. The respondents have a right to put forward their stand by way of affidavit.

It appears that the petitioner is extremely over jealous to get his matter heard even prior to the Court passing direction for filing opposition in the matter. The petitioner is filing one after another application. The conduct of the petitioner cannot be appreciated at all. It amounts to abuse of the process of law.

The instant application is liable to be dismissed with costs.

The application is, accordingly, dismissed with costs of rupees ten thousand to be deposited by the petitioner in favour of the High Court Legal Services Authority within 1st May, 2023.

As direction is yet to be passed in the main writ petition for filing opposition, accordingly, the respondents are directed to file their affidavit in opposition within a period of eight weeks from date; reply thereto, if any, be filed within a fortnight thereafter.

Liberty to mention for hearing.

All pleadings be exchanged between the parties.

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

(AMRITA SINHA, J.)