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ORDER SHEET

IA NO.GA/1/2023
WPO No.1792 of 2022
IN THE HIGH COURT AT CALCUTTA
Constitutional Writ Jurisdiction
ORIGINAL SIDE

LANSDOWNE MARKET BYABASAYEE SAMITY & ANR.
VS.
KOLKATA MUNICIPAL CORPORATION & ORS.

BEFORE:

The Hon'ble JUSTICE AMRITA SINHA

Date:19th April, 2023.

Appearance:

Mr. Arunava Ghosh, Adv.
Mr. Anindya Lahiri, Adv.
Mr. Puspall Chakraborty, Adv.
..for the Petitioners.

Mr. Biswajit Mukherjee, Adv.
Mr. Gopal Chandra Das, Adv.
Mr. Arijit Dey, Adv.
... for the KMC.

Mr. Manoj Malhotra, Adv.
Mr. Suman Dey, Adv.
...for Respondent Nos.6 & 7.

Mrs. Manju Agarwal, Adv.
Ms. Bhawna Tekriwal, Adv.
...for Respondent No.8.

The Court:- Affidavit-in-opposition filed on behalf of the Kolkata Municipal Corporation be retained with the records.

Leave granted to the advocate on record of the respondent no.8 to file affidavit-in-opposition in the department in the course of the day.

An application has been filed seeking for a direction upon the Kolkata Municipal Corporation to disclose documents as per the order passed by this Court on 4th April, 2022.

According to the petitioners/applicants, the affidavit-in-opposition has been filed by the Kolkata Municipal Corporation without necessary documents.

Learned advocate representing the Kolkata Municipal Corporation submits that the documents which were available have been disclosed in the affidavit-in-opposition and the rest are not readily available. Documents relate back to thirty years and due to shifting of the office, some documents are not available right now.

Learned advocate appearing for the petitioners submits that without the documents the affidavit-in-reply cannot be filed.

It is up to the parties to disclose documents and take the call as to whether to proceed with the documents that are already on record.

As the petitioners have expressed their intention not to file the affidavit-in-reply to the affidavit-in-opposition filed by the respondents, accordingly, the writ petition be treated as ready for hearing.

Liberty to mention.

G.A. No.1 of 2023 stands disposed of.

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

(AMRITA SINHA, J.)

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