

03.12.2021
Item No.27 & 28.
Court No.6.
S. De

Through Video Conference

**C.P.A.N. 528 of 2020
in
WPA 25851 of 2017**

Amitava Guha & Another.

Vs

Narayan Swarup Nigam & Another.

Mr. N. I. Khan,
Mr. Amlan Kr. Mukherjee
....for the petitioners.

Mr. Amal Kr. Sen, Ld. AGP,
Mr. Lal Mohan Basu,
....for the contemnors.

By an order dated September 13, 2019, WP 25851 of 2017 was disposed of by a co-ordinate Bench. The operative portion of the said order reads as follows :-

“We are of the opinion that a comprehensive decision should be taken by the Principal Secretary, Transport Department, Government of West Bengal on the proposal sent to him by the RTA, Kolkata on 29th October, 2014 (Annexure P-6 to the writ petition).

Such decision should be taken at an early date as one cannot be oblivious of the fact that not only the

city is expanding but the population is also increasing at a very fast rate.

The decision should be taken in accordance with law including all relevant notifications preferably within a period of two months from the date of communication of this order to the Principal Secretary.”

This contempt application was filed alleging violation of the aforesaid order in as much as the petitioners contended that the Principal Secretary, Transport Department, did not take any decision on the proposal sent to him by the RTA, Kolkata, on October 29, 2014.

Today Mr. Sen, learned advocate appearing for the alleged contemnors hands up to us a copy of an order dated December 23, 2019 passed by the Principal Secretary, Transport Department in terms of this Court's order dated September 13, 2019. This Court's order has thus been complied with. Nothing remains in the contempt petition. Needless to say, if the petitioners are aggrieved by the said order dated December 23, 2019 passed by the Principal Secretary, Transport Department, they shall be at liberty to challenge the same before the appropriate forum, in accordance with law.

CPAN 528 of 2020 is, accordingly, disposed of.

Urgent certified photostat copy of this order, if applied for, shall be given to the parties as expeditiously as possible on compliance with all the necessary formalities.

(Kausik Chanda, J.)

(Arijit Banerjee, J.)