

13.08.2021
Item No. 39-40
Ct. No. 04
PG

C.P.A.N. 290 of 2020
In
W.P.A. 25181 of 2018

Md. Munna @ Md. Sarafat
Vs.
Sri Arun Kumar Banerjee

Mr. Amit Kumar Ghosh.....for applicant

Ms. Shreyasi Bhaduri
Ms. Supriya Dey Barat.....for alleged contemner

Mr. Ghosh, learned advocate appears on behalf of applicant and submits, order dated 20th December, 2019 disposing of his client's writ petition has not been complied with. Ms. Bhaduri, learned advocate appears on behalf of alleged contemner and submits, there has been compliance.

Direction made in order dated 20th December, 2019 is reproduced below:

"Impugned order dated 20th September, 2017 is set aside and quashed. The Municipality will commence proceeding, in respect of allegation of illegal construction, under section 218 in Bengal Municipal Act, 1993, within two weeks from date of communication of this order. The writ petition is disposed of."

It appears Bhatpara Municipality by their decision dated 24th March, 2021, in the proceeding commenced pursuant to said order, directed that persons responsible should demolish the portion

above Ground+1 floor within four weeks, failing which the Municipality will demolish the unauthorised part, with police help.

In the circumstances above, this Court finds there has been compliance. Applicant must seek enforcement of the decision in accordance with law.

C.P.A.N. 290 of 2020 is disposed of.

(Arindam Sinha, J.)