

OD-14

ORDER SHEET
CC 56 OF 2020
IN THE HIGH COURT AT CALCUTTA
Special Jurisdiction (Contempt)
Original Side

SRIRUPA GHOSH
VERSUS
BINOD KUMAR MUNICIPAL COMMISSIONER KMC

BEFORE:
The Hon'ble JUSTICE DEBANGSU BASAK
Date : 8TH March, 2021.

Appearance:
Mr. R. N. Chakraborty, Adv.
Mr. M. Ahmed, Adv.
...for petitioner

Mr. Alok Ghosh, Adv.
Mr. Fazlul Hawue, Adv.
Mr. S. Panda, Adv.
..for KMC (Contemnor)

The Court : The petitioner complains of violation of the order dated December 20, 2019 passed in WP No. 408 of 2018.

By such order, the initiation of proceeding under Section 400 of the Kolkata Municipal Corporation Act, 1980 was noted. It was ordered that, such proceeding be completed within the period of four months from the date of communication of the order.

The petitioner complains that, despite repeated questions, the Corporation Authorities did not complete the proceeding under Section 400 of the Act of 1980 in respect of the unauthorized construction.

Learned Advocate appearing for the alleged contemnor submits that, the Municipal Corporation being apprised of the situation, found it expedient to

entrust the proceeding to new special officer building for the purpose of completion of the proceeding. He seeks further time to comply with the order dated December 20, 2019.

The Municipal Commissioner having taken steps as noted above, it would be expedient and in the interest of justice to extend the time to complete the proceeding under the Act of 1980 for a period of six weeks from date.

CC No. 56 of 2020 is disposed of accordingly.

The petitioner is at liberty to approach the Court under the provision of Article 215 of the Constitution of India as well as the Contempt of Courts Act, 1971 in the event, the proceeding remains inconclusive within the extended period.

(DEBANGSU BASAK, J.)

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