

OD-17

CC 83 of 1996
IN THE HIGH COURT AT CALCUTTA
Special Jurisdiction (Contempt)
ORIGINAL SIDE

MAHARANI DURGESWARI SAHI & ANR.
VS.
ASHIM BURMAN & ORS.

BEFORE:

The Hon'ble JUSTICE ARINDAM MUKHERJEE

Date: 23rd July, 2021

The Court : This contempt application arises out of alleged violation of an order dated 22nd August, 1994. At the time when such order was passed a Special Leave Petition challenging an order of a Division Bench of this Court dated 3rd March, 1992 declaring the Calcutta Municipal Corporation (Amendment) Act, 1990 as *ultra vires* was pending after the order impugned was stayed. The Calcutta Municipal Corporation (in short CMC) now known as KMC in view of the order of stay stopped processing the building plans submitted for sanction in accordance with the rules existing prior to the order dated 3rd March, 1992. The petitioners' building plan submitted in terms of the order dated 22nd August, 1994 was also left unprocessed giving rise to the contempt proceedings. Subsequently by an order dated 15th November, 1994 the Hon'ble Supreme Court of India had set aside the order of 3rd March, 1992 passed by the Division Bench of this Court. The contempt proceedings appeared in the list on 22nd July, 2021, when no one appeared on behalf of any of the parties even at the second call. The matter is appearing in the day's list marked as 'Last Chance' with

a note that appropriate orders will be passed if no one appears when the matter is taken up.

No one has applied for joining in the virtual mode. None of the parties are represented when the matter is called on. It appears that the parties are not interested in proceeding with the matter.

In view of the subsequent development as aforesaid, the contempt petition is disposed of without any further order.

Rule, if any, stands discharged.

(ARINDAM MUKHERJEE, J.)