

09-09-2022  
ct no. 13  
Sl. 25  
pk

**WPCRC 128 of 2022**  
**In**  
**WPA 10241 of 2021**

Binoy Majumder  
**-Versus-**

Mayuri Basu & Ors.

Mr. Sumit Ray,  
Mr. Sailen Naskar

.....for the petitioner

Mr. Sharanya Chatterjee,  
Mr. Nepesh Majhi

...for the alleged contemnor no.2

Mr. Pradyat Saha

...for the alleged contemnor no.3

Mr. Sandipan Banerjee,  
Mr. Sobhan Majumder

...for the Durgapur Municipal Corporation

The alleged contemnors have used  
affidavits, which are taken on record.

This Court notes that the order dated 25<sup>th</sup>  
May, 2021 is generic in nature and cannot constitute  
a positive direction.

Be that as it may, the Durgapur Municipal  
Corporation has issued a self demolition notice in  
respect of one particular property within the Society.

Counsel for the petitioner submits that  
there are other properties, which are also illegal  
within the Society.

The Durgapur Municipal Corporation shall  
take immediate steps with regard to the said  
properties in accordance with law.

The property in respect of which a Division Bench of this Court has directed the ADDA to give clearance for construction, and based of which the Durgapur Municipal Corporation has issued the sanction plan, shall not be covered under this order.

In the event, there is further illegal construction that has not been addressed by the Durgapur Municipal Corporation, the petitioner may initiate appropriate proceeding in accordance with law.

With the above observations, the contempt application shall stand disposed of. Rule issued shall stand discharged.

The personal presence of the alleged contemnors are dispensed with.

There will be no order as to costs.

All parties shall act on the server copy of this order duly downloaded from the official website of this Court.

**(Rajasekhar Mantha, J.)**