

ML-35
Ct No.09
31.03.2023
TN

CPAN 1202 of 2022
In
WPA No. 10226 of 2022

Tapas Barik and another
Vs.
Suman Biswas, Sub-Divisional Officer,
Ghatal Sub-Division

Mr. Dilip Kumar Sinha,
Mr. Dipanjay Bhattacharya

.... for the petitioners

Rule drawn in a
separate sheet

Affidavit-of-service filed in court today be kept
on record.

It is seen from the order dated June 21, 2022 passed in WPA No. 10226 of 2022 that the respondent no.3 in the writ petition, that is, the alleged contemnor was directed to take adequate measures under the concerned Act including the 1962 Act, as applicable, for ensuring eviction of the unauthorized occupiers/encroachers/persons making unauthorized construction on the public land. It was further recorded that it is expected that the said exercise shall be concluded by the respondent no.3 within a reasonable period, latest within eight weeks from that date.

However, despite service, none appears for the alleged contemnor. It was recorded in the order dated

December 09, 2022 that a *prima facie* contempt was made out to the effect that the order dated June 21, 2022 had been violated by the alleged contemnor.

Since it is evident that the alleged contemnor chooses not to be represented or appear even upon service of notice, there is no other option but to issue a Rule of contempt against the alleged contemnor.

Accordingly, Rule do issue directing the alleged contemnor to show-cause in terms of the prayer (a) in the contempt application. The Rule shall be served as expeditiously as possible and a report in that regard shall be filed in court on the next returnable date. The petitioners shall take steps to put in the requisites by April 03, 2023.

The matter shall next be listed on May 08, 2023 at 10.30 a.m. when the alleged contemnor shall be personally present in court.

(Sabyasachi Bhattacharyya, J.)