

17-06-2022
ct no. 13
Sl.4
sp

WPCRC 46 of 2022
In
WPA 19420 of 2018

Kamalesh Chandra Das
-Versus-

Ms. Karabi Kalsa

Mr. Arnab Saha,
Mr. Abhimanyu Banerjee

...for the petitioner

Mr. Malay Krishna De

....for the State

Mr. Narayan Bhattacharyya,
Mr. Amarendra Nath Roy

...for the alleged contemnor

The Prodhan, Smt. Karabi Kalsa, Harekhali
Gram Panchayat, is present in Court.

This Court sees absolute disregard of orders
and ex facie contempt of Court by the Prodhan, Smt.
Karabi Kalsa. The explanation given for delay in
compliance is to say the least, pathetic. The
petitioner took over charge as Prodhan of the
Harekhali Gram Panchayat in 2018.

The Court has passed the order for the first
time in 2021. A feeble explanation is offered that her
subordinate did not put up this Court's order before
her. No steps have been initiated against such deputy
till date.

On merits it is submitted that a plan was sanctioned by the Pradhan for allowing the construction in favour of Smt. Nandini Das, wife of the private respondent no.9. The plan has been sanctioned after the writ petition was disposed of. It appears in no uncertain terms of this Court that the plan was sanctioned in favour of Smt. Nandini Das as she is not a party to the writ petition and after some kind of an arrangement/transfer between Smt. Nandini Das and her husband. This is yet another contumacious conduct.

A sorry state of affair emerges before this Court in respect of Horekhali Gram Panchayat

The Prodhan, Smt. Karabi Kalsa, is hereby directed to take immediate steps to hold a meeting and address the illegal construction. The construction made by Smt. Nandini Das, shall be demolished since it has been made to bypass orders of this Court on the Respondent No. 9, husband of the said Nandini Das.

The explanation offered by Karabi Kalsa is rejected. This Court finds Smt. Karabi Kalsa guilty of deliberate and wilful contempt of Court. She is fined Rs. 9,500/- , payable by her to the treasury of the Purba Medinipur. The office of the District Magistrate, Purba Medinipur, shall accept the fine of Rs. 9,500/-, and credit the same towards Mid-day

Meal scheme in respect of schools in the Harekhali Gram Panchayat.

This Court finds that the S.I., Mr. Tarun Kr. Saine, Sutahata Police Station may have over reacted. There was no need to offer instructions when none were called from him by this Court or the learned counsel appearing for the State.

The Block Development Officer, Sutahata Block, Purba Medinipur, under which the Horekhali Gram Panchayat functions, shall scrutinize all the records, particularly, the sanction plan and the activities of the Gram Panchayat and submit an appropriate report to the District Magistrate, Purba Medinipur, who shall be entitled to take appropriate steps in accordance with law.

Since the petitioner complains that he has been threatened by certain persons against pursuing the contempt application, the Officer-in-Charge, Sutahata Police Station shall look into the matter and take appropriate steps in accordance with law.

With the aforesaid observations, the contempt application shall stand disposed of.

The personal presence of the alleged contemnor is dispensed with. Rule, if any, shall stand discharged.

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

(Rajasekhar Mantha, J.)