

WPCRC 181 of 2022
in
WPA 7426 of 2017

Md. Badiuzzaman & Anr.
Vs.
Atanu Sen

Mr. Arindam Das
Ms. Rumeli Sarkar
...for the applicants/petitioners.
Mr. T. M. Siddiqui
Mr. Nilotpal Chatterjee ...for the contemnor/State.

The alleged contemnor is personally present in Court today.

Affidavit of compliance submitted by the alleged contemnor is taken on record.

Heard learned counsels for the parties.

It is submitted on behalf of the alleged contemnor and also appears from the affidavit of compliance that pursuant to the order under contempt, notice was issued upon both the parties, following which a discussion was held in the office chamber of the Executive Engineer, Murshidabad Highway Division-II on 23rd September, 2022. It is recorded in the minutes of the said discussion that the private respondents failed to appear before the authority despite service of notice. Pursuant to such discussion demarcation of the plot in question was held and unauthorised occupation was detected. Notice under Section 10(1) of the West Bengal Highways Act, 1964 has

been issued upon the alleged encroachers on 28th September, 2022 and notice under Section 10(2) of the Act was also issued on 19th October, 2022.

In view of the above, this Court is inclined to hold that the order under contempt has been substantially complied with.

In view of the same, WPCRC 181 of 2022 is disposed of.

Rule is discharged.

The personal appearance of the alleged contemnor is dispensed with.

Urgent certified website copy of this order, if applied for, be supplied to the parties upon compliance with all requisite formalities.

(Suvra Ghosh, J.)