

S/L 10
28.01.2022
Court. No. 19
GB

CPAN 755 of 2021
In
WPA 8536 of 2021

Renuka Mondal
Vs.
Shri Binod Kumar

(Through Video Conference)

Mr. Emon Bhattacharya,
Ms. Pooja Saha.

...for the Petitioner.

Mr. Alak Kumar Ghosh,
Mr. Achintya Kumar Banerjee,
Ms. Tanushree Dasgupta.

...for the K.M.C./alleged contemnor.

It is submitted by the learned advocate for the Kolkata Municipal Corporation/alleged contemnor that although the representation of the petitioner has not yet been disposed of, steps have been taken under the appropriate provisions of law by issuing notices to the petitioner as also to the persons responsible for the alleged illegal activity in filling up a water body. Notices under Section 53 of the West Bengal Town Country Planning Act have been issued and an FIR has also been lodged with the concerned police station. Such documents have been filed before the Court.

As the Kolkata Municipal Corporation/alleged contemnor has initiated steps with regard to the complaint of the petitioner and as the learned advocate for the Corporation/alleged contemnor submits that the order of

this Court shall be complied with shortly, nothing further remains to be decided in the contempt application.

The contempt application is accordingly disposed of with a direction upon the alleged contemnor and/or his delegatee under the law to dispose of the representation of the petitioner in the light of the order passed by this Court and also upon taking into consideration the steps that have already been taken by the Corporation.

Needless to mention that the alleged contemnor and/or his delegate shall be free to make inspection and take all such steps that may be necessary for compliance of such order. The petitioner is directed to cooperate with the Corporation.

As the Corporation has already issued notices and lodged an FIR after holding an inspection of the premises in question, this Court does not find that there has been a flagrant violation of the order of this Court. However, the order passed herein shall be treated as peremptory in nature.

The entire exercise shall be completed within a period of two months from date of communication of this order.

All the parties are directed to act on the basis of the server copy of this order.

(Shampa Sarkar, J.)