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SK
Ct. No. 24
28.03.2024

CPAN 781 of 2023
In
W.P.A. 16705 of 2022

Miss. Abriti Nayak
Vs.
Mr. Subal Manna

Mr. Kallol Kumar Maity
... For the petitioner.

Mr. Koushik Chatterjee,
Mr. Nilanjan Adhikari ... For the Contemnor.

The order dated 23rd September, 2022 passed by this Court was directed to be complied within a period of twelve weeks from the date of communication of the order.

The order of the Court was communicated to the alleged contemnor in due time. The Municipality initiated the proceeding to deal with the unauthorized construction in November 2022 and concluded the same on 27th April, 2023.

The Municipality failed to notice that the Court had fixed a time period within which the proceeding ought to have been concluded. The Municipality should not have delayed in concluding the proceeding and ought to have complied the Court's order within the specified time limit.

No reason has been forwarded for the delay in complying the order of the Court.

When a Court has fixed a time limit for compliance of the direction passed by the Court, the authority is bound to act within the specified time limit or to approach the Court seeking extension of time for complying the Court's

order. The same has not been done in this case. There has been enough delay in complying the order of the Court.

Accordingly, the Chairman of the Contai Municipality is directed to file an affidavit explaining the delay in complying the direction passed by the Court. Such affidavit shall be prepared and circulated by 12th April, 2024.

List the matter on 18th April, 2024.

(Amrita Sinha, J.)