

13-02-2025
Item No.
Subrata
Bhattacharyya
AR(C)

IN THE HIGH COURT AT CALCUTTA

Constitutional Writ Jurisdiction
Appellate Side

CAN No.1 of 2025
in
WPA No.20627 of 2021
Sri Satnam Singh
-vs-
Smt. Kalyani Ghosh
with
CPAN No.960 of 2023

Mr. Soumak Bera ...for the petitioner

Mr. Anant Kumar Shaw
Mr. Mainak Ganguly ...for the contemnor

Md. Harun-Al-Rashid ...for the CAN

1. CAN No.1 of 2025 has been filed by Smt. Kiran Sharma, the private respondent in the writ proceeding, for recalling the order passed by the court on September 14, 2022 disposing of the writ petition.
2. By the order dated September 14, 2022, this court directed the Kharagpur Municipality to implement the order of demolition issued by the municipality. The application is at the instance of the person responsible for making unauthorized construction. It is admitted that the subject construction was made without any sanction or approval from the municipality.
3. As the municipality has come to a considered opinion that the construction in question is an unauthorized one and has passed the order of demolition which the court directed

implementation of, accordingly, there is no scope for recalling the order passed by this court.

4. The order was simple for implementation of the order of demolition passed by the municipality. The original order of demolition has not yet been challenged before any forum. The same stands till date. The municipality would be bound to execute its own order.
5. The application (**CAN No.1 of 2025**), accordingly, stands **dismissed**.
6. Learned counsel representing the petitioner and the alleged contemnor submit, upon instructions, that the demolition work has started but the progress is very sluggish.
7. However, it is prayed on behalf of the alleged contemnor that some more time may be granted to the municipality for effecting complete demolition.
8. In view of such submission, the contempt application stands adjourned till March 27, 2025.
9. An updated progress report regarding demolition shall be placed before this court on the returnable date.
10. All parties are to act on the server copy of this order duly downloaded from the official website of this court.

[Amrita Sinha, J]

