

21-11-2024
Item no.432
Subrata
Bhattacharyya
AR(C)

IN THE HIGH COURT AT CALCUTTA
Special Civil Jurisdiction
Appellate Side

CPAN No.911 of 2023
Lakshmi Mondal & Anr.

-vs-
Dhaval Jain
arising out of
WPA No.21914 of 2022

Mr. Sanjib Seth ...for the petitioners

Mr. Sandipan Banerjee
Mr. Ankit Sureka ...for the contemnor

1. Perused the affidavit of compliance filed by the Assistant Engineer-in-charge (Building), Howrah Municipal Corporation mentioning that the date of demolition of the unauthorized construction has been fixed and request has been made to the Additional Deputy Commissioner of Police (Special Branch), Howrah for deployment of police force for assisting the Corporation for smooth operation of the demolition work of the unauthorized/deviated building. The affidavit of compliance be taken on record.
2. It appears that dates for demolition were fixed earlier also but that the demolition did not take place.
3. The Commissioner, Howrah Police Commissionerate is directed to provide adequate police assistance to the men and agents of the Corporation for implementing the order of demolition forthwith.
4. It is made clear that repeated failures on the part of the police to provide assistance has resulted in the delay of implementing the order of demolition. No further delay ought to be made.

5. List the contempt application on January 9, 2025 for filing further compliance report.
6. It will be the responsibility of the police to vacate the unauthorized/deviated portion liable for demolition. Vacating and the demolition shall continue simultaneously. The occupants of the unauthorised structure are restrained from interfering with the work of demolition.
7. All parties are to act on the server copy of this order duly downloaded from the official website of this court.

[Amrita Sinha, J]