

07
04.11.2022
KC

C.P.A.N.1254 of 2019
CAN 1 of 2019 (Old CAN 12800 of 2019)
in
W.P. 16366(W) of 2018
Manas Kumar Satpathy
Vs.
Sankar Bera & Ors.

Mr. Uttam Kumar Bhattacharya.
... for the petitioner.

Mr. Mahiur Sasmal
Mr. Hasanur Saman.
... for the applicant.

Mr. Debasish Das
... for the alleged contemnors.

Affidavits filed on behalf of the petitioner be
taken on record.

It is claimed on behalf of the petitioner that the
municipality did not remove the encroachment in its entirety.
In support of such contention, some photographs are relied
upon.

Learned advocate appearing for the Municipality
submits that, whatever portion of encroachment by the
private party the municipality found were removed.

Apparently, there are two views with regard to the
quantum of encroachment. In a proceeding under the

Contempt of Courts Act, 1971 and Article 215 of the Constitution of India, I need not enter into such arena. The petitioner is at liberty to avail of its remedies with regard to the encroachment, if there be any, in accordance with law before the appropriate forum.

CPAN 1254 of 2019 along with connected application is disposed of without any order as to costs.

Urgent certified website copies of this order, if applied for, be made available to the parties upon compliance of the requisite formalities.

(Debangsu Basak, J.)