

Item No.37

In the High Court At Calcutta
Special Jurisdiction
Appellate Side

18.04.2024
Ct-24

CPAN 1431 of 2022
in
WPA 10759 of 2020
Bibek Chatterjee
v.
Malay Roy

Mr. Sandipan Maity
Mr. Sourav Dutta
... for the petitioner.

Mr. Soumyajit Bhatta
... for the contemnor.

The Board of Councillors of Panihati Municipality
is not functioning from quite some time past.

The order passed by this Court cannot be
complied with in the absence of the Board of Councillors
of the Municipality.

According to provision of Section 218 of the West
Bengal Municipal Act, 1993, the Board of Councillors is
the competent authority to take a decision with regard to
demolition of any unauthorized construction that has
been made. As the Board of Councillors is not
functioning, the unauthorized constructions cannot be
dealt with.

In such a situation, the Court thinks it fit to direct
the Secretary, Department of Municipal Affairs to
intervene in the matter and resolve the issue so that the
order passed by the Court can be complied with.

Learned advocate for the petitioner is directed to communicate this order to the Secretary, Department of Municipal Affairs.

The contempt application stands adjourned till June 20, 2024.

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(Amrita Sinha, J.)