

Item No.482
22.06.2023
Court. No. 19
GB

CPAN 80 of 2022
In
W.P.A. 10852 of 2021

Bappa Pramanik
VS
Smt. Krishna Chakraborty

Mr. Partha Chakraborty,
Ms. Poulomi Datta

...for the Applicant/Petitioner.

Mr. Sirsanya Bandopadhyay,
Mr. Tirthankar Dey,
Mr. Arka Kr. Nag

...for the Alleged Contemnor.

The Court finds that there has not been any non-compliance of the order passed on July 12, 2021. After the order was passed by this Court, the authorities found unauthorized construction and directed the person responsible to vacate the premises by issuing a notice.

Such notice was challenged before another coordinate Bench, by the person responsible. The coordinate Bench dismissed the writ petition. The order was challenged before the Hon'ble Division Bench. The Division Bench dismissed the appeal and the person responsible filed a Special Leave Petition, which is pending.

Thus, the order of this Court, in my view, had been complied with. The demolition will depend on whether the Special Leave Petition filed by the person responsible is admitted or not and also if admitted, the result of the same.

The applicant is always at liberty to take appropriate steps before the appropriate forum at the appropriate stage.

There is no willful violation of the order of this Court.
The contempt application stands disposed of and the
contempt proceedings are dropped.

All the parties are directed to act on the basis of the
server copy of this order.

(Shampa Sarkar, J.)