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24.08.2023
d.p.

**In The High Court At Calcutta
Special Civil Jurisdiction
Appellate Side**

**W.P.C.R.C 109 of 2022
in
W.P.A. 22476 of 2015**

**Jayanta Kumar Pain
-versus
Sukumar Dey**

**Mr. Tarun Kanti Ghosh.
...For the Petitioner.**

**Mr. Surendra Kumar Shome,
Mr. Pradip Kumar Santra.
...For the Alleged Contemnor.**

Learned counsel for the respective parties are present.

Learned counsel for the alleged contemnor is also present in person.

The contemnor has filed the affidavit of compliance showing that the contemnor has complied with the order passed by this Court.

Learned counsel for the petitioner submits that though at the time of compliance of the order, the Panchayat allowed the petitioner to construct a concrete slab at the cost of the petitioner for free flow of the water in the said 'Nala' but the decision taken by the Panchayat has not been complied with.

This Court finds that by an order dated 7th January, 2021, this Court directed the respondent no.5

to take appropriate steps to cause the drain being cleared within three weeks from the date of communication of the order.

As per the affidavit of compliance filed by the contemnor, it is found that the alleged contemnor has complied with the direction passed by this Court on 7th January, 2021 and thus, nothing remains in the contempt application.

Accordingly, WPCRC 109 of 2022 is disposed of.

The Rule issued against the alleged contemnor is recalled and the personal appearance of the alleged contemnor is disposed of.

(Krishna Rao, J.)