

May 4, 2023
Sl. No. 18
Court No.19
s.biswas

CPAN 712 of 2022
in
WPA 6195 of 2022

Safi Uddin Naskar and others
vs.
Md. Mosarraaf Hossain

Mr. Pintu Karar

... for the petitioners

Mr. Pantu Deb Roy

Mr. Pannalal Bandopadhyay

... for the alleged contemnor

The compliance report filed by the alleged contemnor, is taken on record.

Perused the compliance report.

The Court does not find any willful disobedience to the order passed earlier in the writ petition.

The authorities had conducted an inspection and found that the petitioner had encroached a portion of land, which had been recorded as 'path'. The alleged road did not go through the land of the petitioner.

The petitioner is aggrieved by the findings and also by the nature in which the inspection and demarcation was made. Such objection to the order passed by the authority concerned is not amenable to the contempt jurisdiction. The petitioner is at liberty to challenge such order in an appropriate proceeding.

The contempt application is disposed of. 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.)