

Item No.4

In The High Court At Calcutta
Special Jurisdiction
Appellate Side

5.01.2023
Ct-24

WPCRC 105 of 2022
Golam Gazi

v.

Tanuja Begum Laskar & Anr.

in

WPA 10473 of 2019

with

CAN 1 of 2022

Mr. Tanmoy Mukherjee

Mr. Souvik Das

Mr. K. Raihan Ahamed

Mr. Rudranil Das

... for the petitioner.

Mr. Ushananda Jana

... for the contemnor no. 1.

Mr. S. Ghosh

... for the contemnor no. 2

Mr. Lakshminath Bhattacharya

... for the private respondent/applicant.

I have perused the order passed by the Pradhan-in-Charge, Rajapur Korabeg Gram Panchayat dated December 19, 2022.

It appears therefrom that the said Pradhan-in-Charge considered the objection filed by the petitioner, caused a site inspection and has passed an order and rejected the allegation of unauthorized construction made by the petitioner.

It appears from the submissions made on behalf of the parties that the petitioner is primarily aggrieved by the construction of the boundary wall which is causing

obstruction in the free egress and ingress to the petitioner's land.

From the document annexed to the application for recalling filed by the private respondent/applicant it appears that a Title Suit being TS 332 of 2018 in respect of the Dag Nos. 1633, 1635, 1638 and 1639 of R.S. Plot No. 1934 is pending adjudication before the learned 3rd Civil Judge (Junior Division) at Baruipur.

The parties will be at liberty to agitate their grievances in the said suit.

In the event, the petitioner is not impleaded in the said suit, it will be open for the petitioner to approach the appropriate forum for remedy.

No further order is required to be passed in the contempt application.

The contempt application and the recalling application being CAN 1 of 2022 stand disposed of.

Urgent certified photocopy of this order, if applied for, be supplied to the parties expeditiously on compliance of usual legal formalities.

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(Amrita Sinha, J.)