

23.03.2023
Court No. 19
Item No.28
sn

CPAN/822/2022
IN
WPA/19455/2021

DULAL GIRI & ANR
VS
TAPASHI SAHOO, GRAM PRADHAN
DURMUTH GRAM PANCHAYAET

Mr. Soumen Kr. Dutta
Mr. Sabhasachi Bhattacharya
...for the petitioners.

Ms. Juin Dutta Chakraborty
...for the contemnor.

Although, it is the specific contention of Mr. Dutta, learned advocate for the applicants that the inspection was held behind their back and the minutes of the meeting held on February 8, 2022 and February 13, 2022 had never been served upon the applicants, these are challenges on the merits of the order.

The panchayat authorities have found the construction to be valid and in accordance with the building plan. According to Mr. Dutta, the measurements were not taken at all and the panchayat authorities mechanically vetted the construction.

Thus, this Court is of the view that the applicant should file a separate writ petition challenging the order passed by the authorities.

The Court does not find deliberate violation of the order passed in the writ petition, although there are some procedural defects.

The contempt proceedings are dropped.

The contempt application is disposed of.

(Shampa Sarkar, J.)