

5.1.2023
Court No.19
Sl.no.17
sn

CPAN 867 of 2022
in
WPA 20133 of 2021

Manowara Bibi
Vs.
Debasish Ghosh

Mr. Mukteswar Maity
Ms. Manika Sarkar
....for the petitioner

Mr. Sirsanya Bandopadhyay
Mr. Arka Kr. Nag
Mr. Tirthankar Dey ..for the alleged contemner

It appears that during the pendency of the contempt application, steps were taken by the Bidhannagar Municipal Corporation to comply with the order of this Court.

It appears that an inspection was conducted and a copy of the inspection report was handed over to the petitioner.

The alleged contemner further submits that on two occasions, the petitioner refused to appear at the hearing.

The Court does not find that there was any willful disobedience of the order passed in the writ petition.

The authorities shall serve a notice of hearing upon the petitioner and the person responsible for

such construction and hold a further hearing. Thereafter, the order of this Court shall be followed in its letter and spirit. If any construction is going on illegally, the authorities shall take adequate steps.

The letter of the petitioner refusing to attend the hearing filed by the alleged contemner, is taken on record.

Learned advocate for alleged contemner undertakes to comply with the order of this Court within a period of eight weeks from date, subject to the petitioner's co-operation. The contempt proceedings are dropped on such undertaking.

The contempt application is disposed of.

There will be, however, no order as to costs.

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

(Shampa Sarkar, J.)