

02.03.2023
Court No. 19
Item no.16
CP

WPCRC 41 of 2022

In

WPA 5125 of 2020

Munshi Habibar Rahaman & ors.

Vs.

Dilip Roy (Pradhan)

Mr. Debasis Sarkar
Mr. Debasis Sur
Mr. Hare Krishna Halder
Mr. H. S. Paul
Ms. Anindita Chatterjee

...for the petitioners.

Mr. Niladri Sikhar Ghosh
Ms. S. Chatterjee
Mr. Sourav Mondal

...for the alleged contemnor.

The Batanal Gram Panchayat has passed an order indicating that the construction was prior to 1973 and only some renovation work was done thereafter. Thus, according to the panchayat authorities, the construction was not unauthorized.

Although, the order of the panchayat authorities is not happily drafted and not well-reasoned, yet the court does not find that there has been any intentional and wilful violation of the order of the court.

The contempt proceeding is dropped.

Liberty is granted to the petitioners to challenge the said order, by filing a writ petition and by impleading all the necessary parties.

Application is disposed of.

(Shampa Sarkar, J.)