

725 18.01.2024
NB Ct. 14

CPAN 1058 of 2023
In
WPA 25477 of 2007

West Bengal Industrial Infrastructure
Development Corporation.
Vs.
Pankaj Dutta & Ors.

Mr. Amit Kr. Nag.
...for the applicant.

Learned counsel appearing on behalf of the applicant submits as follows. By an order dated 22.03.2023 in WPA 25477 of 2007, this Court dismissed the writ petition and directed the petitioner to vacate the water body and deliver possession in favour of the respondent nos.2 to 4, within four months from date. Furthermore, if the licence fees had not been paid to the licensor, the petitioner was directed to be paid charges in respect of the water body from the date of expiry of the licence agreement till the date of delivery of the water body to the licensor at the rate of normal licence fee as fixed in the licence agreement. Any prior payment had to be set off. Liberty was also granted to make the payment in monthly installments as decided by the WBIIDC. The order was duly communicated to the petitioner. Yet, the petitioner did not take any steps to comply with the same. In the appeal preferred by the petitioner against such an order dated 15.12.2023, the Appellate Court directed the State authorities to mobilise men and material in order to ensure that no law and order situation occurs at the time of removing every person from the water body and making

over vacant and peaceful possession to the WBIDC within 19.12.2023.

Although this part of the order passed by this Court was carried out, the alleged contemnor still has not paid any occupation charges as directed by this Court.

It appears that although a part of the order passed by this Court has already been executed, the alleged contemnors did not comply with the direction passed by this Court to pay the occupation charges.

Let a notice be served to the alleged contemnors along with a copy of the writ petition within a week from this date.

The matter is made returnable on 22nd February, 2024 under the same heading.

Urgent photostat certified copy of this order may be supplied to the parties expeditiously, if applied for.

(Jay Sengupta, J.)