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ORDER SHEET  
CC No.80 of 2022  
With  
WPO No.2305 of 2022  
IN THE HIGH COURT AT CALCUTTA  
Special Jurisdiction [Contempt]  
ORIGINAL SIDE

CHAMPA BOSE & ANR  
Versus  
BISWANATH DAS & ORS.

BEFORE:  
The Hon'ble JUSTICE AMRITA SINHA  
Date:30<sup>th</sup> January, 2023.

Appearance:  
Mr. Nirmalya Dasgupta, Adv.  
Mr. Dibanath Dey, Adv.  
Ms. Pallavi Pain, Adv.  
...for Petitioner.  
Mr. Alak Kumar Ghosh, Adv.  
Ms. Era Ghose, Adv.  
...for KMC.

The Court:-Learned advocate representing the petitioners submits that a hearing was called for by the Heritage Conservation Committee on 11<sup>th</sup> January, 2023 but the matter was not heard by the Committee.

Learned advocate representing the alleged contemnor produces a copy of the resolution adopted by the Heritage Conservation Committee in its meeting held on 11<sup>th</sup> January, 2023. The resolution appears to be a detailed one signed by ten members of the committee. Copy of the resolution has been sent through post to the petitioners.

Learned advocate representing the petitioners submits that only three members were present at the time of the alleged hearing and copy of the resolution is yet to be received by his clients. A copy of the resolution, however,

was sent through WhatsApp message to the learned advocate representing the petitioners.

Learned advocate for the petitioners also alleges that none of the required documents were forwarded to the petitioners.

On a perusal of the resolution dated 11<sup>th</sup> January, 2023, it appears that the Committee took into consideration the submissions of the petitioners and the observation of the Committee.

The matter has been disposed of with certain observations.

Whether the observations of the Heritage Conservation Committee adopted in the resolution dated 11<sup>th</sup> January, 2023 are in accordance with the provision of law or not is to be examined in a separate proceeding. Legality of the resolution cannot be gone into in the present contempt application.

In view of the above, the contempt application being CC No.80 of 2022 stands disposed of.

It will be open for the petitioners to challenge the resolution adopted by the Heritage Conservation Committee in its meeting held on 11<sup>th</sup> January, 2023 in accordance with law, if so advised.

Resolution dated 11<sup>th</sup> January, 2023 of the Heritage Conservation Committee produced in Court today be retained with the records.

Urgent photostat certified copy of this order, if applied for, be supplied to the parties upon compliance of all legal formalities.

(AMRITA SINHA, J.)