

Court No. 36
(265715)

CPAN 1323 of 2024

06.09.2024
(AD 14-15)
(S. Banerjee)

Nepal Ch. Ghosh
Vs.
Shambhunath Soren, Pradhan, Manikkundu Gram
Panchayat, Chandrakona

in
WPA 26429 of 2023

with

WPA 109 of 2024

Sardar Amjad Ali
Mr. Puranjan Pal

...for the petitioner

The petitioner has made out a prima facie case of violation of the order dated February 20, 2024 inasmuch as, by the said order, the alleged contemnor was directed to take action under the West Bengal Panchayat Act, 1973 to ascertain whether there had been any violation of the Panchayat Laws by the petitioner therein as well as to independently take a decision upon such hearing, without being influenced in any manner by the observations made on merit either by the Court or the Executive Magistrate and to independently act in accordance with law, but no such decision has been taken till date.

Learned Senior Counsel for the petitioner points out that a mere purported notice was issued on April 9, 2024, annexed at page 33 of the contempt application, which could not be construed from any perspective as action within the contemplation of the direction of this Court.

There being prima facie substance in such contention of the petitioner, the petitioner shall serve a copy of the contempt application on the alleged contemnor indicating that the matter shall be listed for hearing on November 8, 2024, when the petitioner shall file an affidavit of service to that effect.

(Sabyasachi Bhattacharyya, J.)