

July 4, 2024
Sl. No.53
Court No.9
s.biswas

WPCRC 39 of 2024
In
WPA 5611 of 2023

Gautam Nansi
vs.
Mrs. Asha Bouldas

Mr. K. D. Poddar
Mr. Mrinal Kanti Biswas
Ms. S. K. Ghosh

... for the applicant

Mr. Md. Mahmud
Mr. Asif Ikbal Baidya

... for the alleged contemnor

The order of this court has been complied with.
The gram panchayat has passed the order. It has been recorded that on perusal of the sanction plan, it was found that the respondent nos.8 to 10 (in the writ petition) were constructing in accordance with a sanction plan.

Learned advocate for the applicant/writ petitioner submits that no plan was produced at the hearing. Learned advocate further submits that the inspection was not made in a proper manner. It is the specific contention of the applicant that the records of the panchayat authorities, if called for, would reflect that no resolution had been adopted by the gram panchayat while sanctioning the alleged plan. This is a contempt proceeding. The merits of the order cannot be adjudicated in this proceeding.

The direction of this court has been complied with. The defects in the order, must be challenged in

a separate writ petition. Thus, the applicant/petitioner is granted liberty to challenge the order by filing an appropriate writ petition.

Accordingly, the contempt application is disposed of. Rule is discharged. Contempt proceeding is dropped.

(Shampa Sarkar, J.)