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jdt.

17.05.2024
jb.

**CPAN 179 of 2024
in
W.P.A. 21496 of 2021**

**Mr. Sajal Kr. Ghosh
Mrs. Dipa Bhattacharyya
.... For the Applicant-Petitioner
Mr. K. J. Yusuf
Mr. Balarko Sen
.... For the State**

Report submitted on behalf of the alleged
contemnors is taken on record.

Heard learned counsel for the parties.

By the order under contempt passed on 19th
September, 2023, the 4th respondent/ alleged
contemnor was directed to take necessary steps for
implementation of the order passed by the District
Magistrate, Purba Medinipur on January 11, 2023
under Section 10(4) of the West Bengal Highways Act,
1964 within one month from the date of communication
of the order.

Learned counsel for the alleged contemnor
produces a copy of order of this Court dated January
31, 2023 whereby the order passed by the District
Magistrate, Purba Medinipur on 11th January, 2023 was
set aside.

This fact was not brought to the notice of the Court when the order under contempt was passed.

Since the order under contempt dated 19th September, 2023 has already been set aside, the said order could not have been implemented.

As such the contempt application does not lie.

The contempt application being CPAN 179 of 2024 is disposed of.

(Suvra Ghosh, J.)