

08
15.05.2024
Ct. No.10
b.das

CPAN 410 of 2024
in
WPA 3151 of 2019
+
CAN 1 of 2020
+
CAN 2 of 2024

Mr. Tarun Kr. Das
Mr. Anindya Bose

...for the applicant/petitioner.

Mr. Soumitra Bandyopadhyay
Mr. Priyabrata Batabyal ...for the alleged contemnors.

In re: **CPAN 410 of 2024**

Affidavit of compliance submitted on behalf of the
alleged contemnor is taken on record.

Learned counsel for the alleged contemnors submits
that in view of encroachments made on the State Highway
proceeding under Section 10 of the West Bengal
Highways Act, 1964 has been initiated against the alleged
encroachers and notices under Sections 10(1) and 10(2)
of the Act have been issued.

In view of the above, this Court is inclined to hold
that the alleged contemnors are not guilty of violation of
the order of this Court passed on 23rd December, 2020.
However, since proceeding under Section 10 of the 1964
Act has been initiated, the concerned authority be
directed to take the proceeding to its logical conclusion
within two months from the date of communication of
this order upon affording reasonable opportunity of

hearing to all concerned including the applicant/petitioner and the alleged encroachers, in accordance with law.

In view of the above, the contempt application being CPAN 410 of 2024 is disposed of.

There shall, however, be no order as to costs.

Urgent certified website copy of the order, if applied for, be given to the parties on compliance of requisite formalities.

In re: **WPA 3151 of 2019**

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The application being CAN 2 of 2024 is not in the file. The department is directed to put up the application along with the writ petition on the adjourned date.

Let the matter appear under the heading “Group I Hearing” along with all connected applications on 26th June, 2024.

(Suvra Ghosh, J.)