

AD-04
Ct No.09
08.03.2024
TN

CPAN 548 of 2023
In
WPA 10686 of 2020

Saiyad Ajijul Hossain
Vs.

Mr. Purnendu Kumar Maji, the then District Magistrate,
Purba Medinipur and another

Mr. Sk Jayed Hossain

.... for the petitioner

Mr. Anand Farmania,
Mr. Manoj Kr. Mandal

.... for the State

1. Learned counsel for the alleged contemnors hands over written instructions and indicates that the appellate authority has dismissed the appeal pending before it. Thereafter, the District Magistrate has taken due steps. Upon communication made to the Sub-Divisional Officer, he has also initiated a proceeding for demolition of the unauthorized construction. It is assured that the unauthorized encroachment shall be removed within a fortnight from date.
2. The order under contempt directed that the District Magistrate would take steps immediately to ascertain as to whether the land-in-question had been encroached or any illegal construction had been built thereon and if the answer is in the positive, to take steps immediately thereafter for removal of the encroachers upon giving opportunity of hearing to all

concerned in accordance with law. It was also recorded that it was expected that such ascertainment shall be completed expeditiously, at the most within eight weeks from the date of communication of the order to the District Magistrate.

- 3.** The exercise of ascertainment of the illegality of the encroachment was to be completed within a limited time. Although belatedly, the said exercise has been completed now and due steps have been taken for removal of the encroachment.
- 4.** Hence, the order under contempt has been substantially complied with.
- 5.** Accordingly, CPAN 548 of 2023 is disposed of keeping on record the written instructions filed today.
- 6.** There will be no order as to costs.
- 7.** Urgent photostat certified copies of this order, if applied for, be made available to the parties upon compliance with the requisite formalities.

(Sabyasachi Bhattacharyya, J.)