

S/L 7
17.06.2025
Court. No. 19
Sourav

**CPAN 905 of 2025
In
WPA 8486 of 2018**

**Ajit Naskar
Vs.
Smt. Amrita Burmon Roy**

*Mr. Sk. Abu Abbas Uddin
Ms. Nahid Rahman
Mr. Amit Ganguly*

...for the petitioner.

1. At the time of hearing, learned advocate for the writ petitioner draws attention of this Court to the copy of the judgment dated 24.12.2024 as passed by this Court in WPA 8486 of 2018.
2. For effective adjudication of the instant contempt application, paragraph no. 20 of the said judgment dated 24.12.2024 is required to be looked into and the same is quoted hereinbelow in verbatim:-

“20. The jurisdictional SDO is directed to conduct appropriate proceeding under Sections 23(5) and (6) of the West Bengal Panchayat Act, 1973 within three months from the date of receipt of the reference from the respondent no. 7, Pradhan, Jagadishpur Gram Panchayat, Howrah after complying due formalities as enshrined in Sections 23(5) and (6) of the said Act of 1973.”

3. It is submitted on behalf of the writ petitioner that pursuant to the said judgment under cover of her order no. 1 dated 10.03.2025 the alleged contemnor no. 1 passed an order against the private respondents of the writ petition directing them to demolish the building erected/made in the relevant plots as mentioned in the

said order in contravention of the provisions of West Bengal Panchayat Act, 1973 on or before April 9, 2025 i/d, the alleged contemnor would itself effect the demolition and the recovery cost thereof from them as a public demand.

4. It is the grievance of the writ petitioner that the private respondents have not effected the demolition as directed to be done by the alleged contemnor vide order dated 10.03.2025 and the jurisdictional SDO i.e., the alleged contemnor herein had not yet carried out the demolition on her own as reflected in the said order dated 10.03.2025.
5. On careful consideration of the entire matter, it appears to this Court that the aforementioned inaction by no stretch of imagination can be said to be a violation of the judgment dated 24.12.2024 as passed by this Court in WPA 8486 of 2028 in view of the fact that the alleged contemnor who is the jurisdictional SDO has duly complied with the direction as specifically mentioned in paragraph no. 20 of the said judgment.
6. With the aforementioned observations, the instant contempt application being **CPAN 905 of 2025** is dismissed.
7. Before parting with, it is, however, made clear that dismissal of the instant contempt application will not debar the present writ petitioner to file appropriate application, if so advised.

(Partha Sarathi Sen, J.)