

03.04.2024
rc/ct.no.10
Item No.02

CPAN No. 1049 of 2023
in
WPA No. 8271 of 2023
Surodeb Chaudhuri
Versus
Haradhan Deb & Ors.

Mr. Sumit Roy
Mr. Ashok Kumar Jha
Ms. Moumita Mondal
...for the applicant/petitioner

Mr. Sirsanya Bandyopadhyay
...for the alleged contemnor

Inadvertent error has crept into the order dated March 20, 2023.

The case number in the first page in the order dated March 20, 2023 be read as “WPA No. 8271 of 2023” instead of “WPA No. 8271 of 20223”.

The Department is directed to make the correction accordingly.

Let this order be treated as a part of the order dated March 20, 2023.

Learned counsel for the petitioner/applicant submits that though the police authorities rendered assistance to the petitioner/applicant in compliance with the order of this Court initially, local persons have been continuously resisting the petitioner/applicant from carrying on pisciculture in the water body in question and regular assistance is not rendered by the police to the applicant/petitioner in this regard.

It appears from the report in the form of affidavit submitted on behalf of the alleged contemnor that the alleged contemnor rendered all assistance in order to demarcate the water body and handed over peaceful possession of the leasehold property to the petitioner/applicant. The police authority is keeping continuous vigil over the water body in question and the petitioner/applicant has been regularly catching fish in the leasehold area under proper police protection.

In view of the above, this Court is inclined to hold that the order under contempt has been substantially complied with.

However, it is expected that the alleged contemnor shall continue to comply with the order under contempt as and when required.

With the above observation the contempt application being CPAN No. 1049 of 2023 is disposed of.

There shall however be no order as to costs.

Urgent certified website copy of this order, if applied for, be furnished to the parties on usual undertakings.

(Suvra Ghosh,J)