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05.01.2024
Ct. No. 15
adeb

CPAN 1061 of 2023

In

WPA 7241 of 2018

Smt. Rina Das Modak & Anr.

Vs.

Jahir Abbas

Mr. Samrat Sen

Mrs. Maheswari Sharma

Mrs. Tulika Banerjee

...for the applicants

Mr. Soumik Ganguli

Mr. Sanat Kr. Das

Mr. Sujan Chatterjee

...for the alleged contemnor

In the contempt application applicants alleges violation of the order dated 5th August, 2022.

Today, pursuant to the order dated 1st December, 2023 an affidavit-of-compliance has been filed by the alleged contemnor wherein order dated 22nd December, 2023 issued by the Pradhan, Baintika Bainchi Gram Panchayat, District-Hooghly is enclosed. On perusal of the said order dated 22nd December, 2023 it appears that the panchayat authority found alleged construction is illegal as a result whereof the decision of the alleged contemnor was decided to be forwarded to the concerned Sub-Divisional Officer, Sadar, Hooghly in terms of the relevant provisions of the West Bengal Panchayat Act, 1973.

The learned advocate representing the alleged contemnor submits that there is due compliance of the

order passed by this Court on 5th August, 2022. However, Mr. Samrat Sen, learned senior advocate representing the applicants submits that necessary direction is required to be passed for implementation of the order of the alleged contemnor dated 22nd December, 2023 otherwise the order passed by this Court dated 5th August, 2022 would not be implemented in its true letter and spirit.

Having considered the submissions made on behalf of the parties to the contempt application this Court grants leave to the Sub-Divisional Officer, Sadar, Hooghly to take steps based on the order dated 22nd December, 2023 passed by the Pradhan, Baintika Bainchi Gram Panchayat, District-Hooghly being the alleged contemnor

With the aforesaid observations, the contempt application stands disposed of and the contempt proceeding stands dropped.

(Saugata Bhattacharyya, J.)