

27
Court No. 24
16.05.2024
AGM

**In The High Court At Calcutta
Special Civil Jurisdiction
Appellate Side**

**C.P.A.N. 1218 of 2023
in
W.P.A. 4712 of 2023**

**Md. Salim Ansari & Anr.
-versus
Gopal Saha**

**Mr. Kushal Chatterjee.
Mr. Oishik Chatterjee.
...For the Petitioners.**

**Mr. Sankha Subhra Roy.
...For the Contemnor.**

In compliance of the direction passed by the Court, the Municipality has inspected the subject construction and has passed certain directions and a decision has been taken.

The petitioners are aggrieved by the said decision taken by the Municipality.

The Court is of the opinion that the validity of the decision taken by the Municipality cannot be adjudicated in the contempt proceeding.

It will be open for the petitioners to approach the Court in its proper jurisdiction.

The contempt application stands disposed of.

Let the communication dated 15th May, 2024 signed by the Chairman, Kamarhati Municipality bearing reference No. 178/P.W.D. (B) be retained with the records.

Urgent certified photocopy of this order, if applied for, be supplied to the parties expeditiously on compliance of usual legal formalities.

(Amrita Sinha, J.)