

Item No.283

27.06.2024
Ct-14

In the High Court At Calcutta
Special Jurisdiction
Appellate Side

CPAN 1231 of 2023
in
WPA 921 of 2023
Sri Sujit Kumar Dey
v.
Sri Shiba Prasad Jana

Mr. Avik Banerjee
Mr. Pujon Chatterjee
Mr. Sutosom Bhattacharyya
Mr. Amar Nath Ghosh
... for the petitioner.

Mr. N.C. Bihani
Mr. Subhrangsu Panda
... for the alleged contemnor.

Learned advocate representing the alleged contemnor produces the copy of the order dated May 24, 2024 passed by the Special Officer (Building) allegedly in compliance of the direction passed by this Court.

Learned advocate representing the petitioner submits that specific direction was passed upon the Executive Engineer (Civil) to consider and decide the issue. The matter was not considered by the Executive Engineer (Civil), which is in violation of the direction passed by the Court.

It has further been submitted that the authority ought to have restricted decision with regard to the complaint lodged. The Special Officer (Building) went to decide the mode of use of the 1st floor which was not mentioned in the complaint.

It appears that the petitioner is aggrieved by the merit of the order that has been passed by the Special Officer (Building). It will be open for the petitioner to challenge the same before the competent forum.

The Court is of the opinion that the order of the Court has been substantially complied with.

The contempt application stands disposed of.

Affidavit-of-service filed in Court today is taken on record.

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

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(Amrita Sinha, J.)