

02.07.2024
Item No.39
gd/ssd

CPAN/1663/2023
SUBRATA MONDAL
VS
DR. (MS) P. DEEPAP PRIYA (IPS) DISTRICT
MAGISTRATE, HOWRAH AND ANR.
in
WPA/3891/2020
SUBRATA MONDAL
VS
STATE OF WEST BENGAL & ORS.

Mr. Subhrangsu Panda,
Ms. Ina Bhattacharyya,
Ms. Mithu Singha Mahapatra
..for the Petitioner.

Mr. Tanoy Chakraborty,
Mr. Saptak Sanyal
..for the State.

1. This contempt application has been filed alleging willful disobedience of the order and direction dated 14.08.2023 in WPA 3891 of 2020.

2. The said writ petition was disposed of by issuing the following directions:

“8. Accordingly, there will be a direction to the 2nd respondent to immediately issue necessary orders to the appropriate authorities under his command and administration to ensure that the entire canal is cleared of all the weeds, shrubs and sediments and wherever illegal construction have been put up, the same should be demolished and the canal should be restored to its original position.

9. Let the above directions be complied with within a period of twelve weeks from the date of receipt of server copy of this order.

10. With the above directions, the writ petition and the connected application stand disposed of.”

3. The learned advocate appearing for the respondent/State submitted that notices have been issued and effective steps have been taken by the District Magistrate to comply with the direction.

4. The learned advocate for the applicant submitted that proper demarcation has to be done and proper identification of the encroachers and the area where illegal construction is put up has to be first done.

5. Since the authority has already taken action, we direct the authority to ensure that proper demarcation is made after clearly ascertaining the encroachments or illegal construction.

6. The direction shall be complied with by the respondent/alleged contemnor within six weeks from the date of receipt of the server copy of this order.

7. Accordingly, the contempt application stands disposed of.

(T. S. SIVAGNANAM)
CHIEF JUSTICE

(HIRANMAY BHATTACHARYYA, J.)