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**Calcutta High Court
In the Circuit Bench at Jalpaiguri**

**CPAN 49 of 2024
In
WPA 2229 of 2023**

**Sathi builders Pvt. Ltd.
Vs.
Mr. Binod Kumar, Principal Secretary**

Mr. Bikramaditya Ghosh	
Mr. Thaneshware Kumai	
Ms. Sunayana Prasad	...for the Petitioner
Mr. Deborshi Dhar	...for the Corporation
Mr. Subir Kumar Saha	
Mr. Momenur Rahman	...for the alleged contemnor

Re: CPAN 49 of 2024

This is a contempt application under Article 215 of the Constitution of India wherein the petitioner has alleged that by an order dated 28th November, 2023, this court while disposing of WPA 2229 of 2023, was pleased to observe that as agreed by the parties, the matter was referred to the Principal Secretary, Department of Urban Affairs and Municipal Development, Government of West Bengal/respondent no. 1 to consider the report submitted by respondent no. 2 and 4 and after hearing all the parties, he will take a fresh decision within a period of four weeks from date

and in the event of arriving such decision, acceptable to all the parties they will act on the basis of such decision arrived at as a result of joint discussion.

Learned counsel for the petitioner submits that the contemnor has willfully and deliberately violated the said impugned order and accordingly, a contempt rule may be issued against the alleged contemnor.

Mr. Saha, learned counsel for the alleged contemnor placed a letter dated 16th August, 2024 along with an order dated 29th July, 2024 wherefrom it appears that the concerned authority has duly complied the order and matter is still under process and in paragraph 9, the concerned authority has further observed that the petitioner will engage a town planner/technical person/professional expert who will arrange a simulation presentation before the Chief Executive Officer, Siliguri Jalpaiguri Development Authority, Commissioner, Siliguri Municipal Corporation and other concerned authorities and it was further observed that after submission of the aforesaid expertise opinion engaged by the petitioner, the appropriate order will be issued from the end of Principal Secretary, Department of Urban Affairs

and Municipal Development, Government of West Bengal.

In such view of the matter, the present contempt application is hereby disposed of with an expectation that the concerned authority will take appropriate decision preferably within a period of three months from the date of receipt of the expert's report.

CPAN 49 of 2024 is accordingly disposed of.

Urgent Photostat certified copy of this order, if applied for, be given to the parties upon compliance of all requisite formalities.

(Ajoy Kumar Mukherjee, J.)