

02.09.2025
Sl. No.12
PG/KS
Ct. No.1

**C.P.A.N. 76 of 2025
With
W.P.A. (P) 244 of 2024**

**Kutubuddin Sk.
Vs.
Shri Rajashi Mitra, the District Magistrate,
Murshidabad & Ors.**

Mr. Arindam Chattopadhyay
Ms. Lipika Chatterjee
Mr. Soumik Dey

.....For the Contempt Applicant

Mr. K. J. Yusuf
Mr. Parikshit Goswami

.....For the Alleged Contemnors

1. This contempt application has been filed alleging willful disobedience of the order dated 27th June, 2024 in W.P.A. (P) 244 of 2024.
2. The Block Development Officer, Sagardighi Development Block, Murshidabad has filed a report and operative portion of the report states as follows:-

"1. The entire area on both banks of aqueduct/water canal (Binod Nala) is paddy growing agricultural land. No public road is there on both the sides.

2. The petitioner Kutubuddin Sk has constructed the disputed concrete bridge of approximately 10 feet width and 80 feet length over the Binod Nala. The land on both sides of the Binod Nala including the portion of the Nala over which the bridge has been constructed belongs to the petitioner. The bridge starts from plot no.36 and ends in plot No.51 of Mouza – Mansinghapur, J.L. No.192, Sagardighi Block. The Plot No. of the portion of Nala over which the bridge has been constructed is 42. The plot No.42 is in the name of the petitioner Kutubuddin Sk. The Plot No.36 and 51 are private land.

3. *The construction work of the bridge has already been completed. The concrete bridge is used only by the petitioner for his personal*

interest and convenience. It is obvious that the disputed concrete bridge is a personal property. No public interest is involved here.

4. For passing over the Nala the local people/villagers use Bamboo Bridge which has been constructed and maintained by the Gram Panchayat."

4. In the light of the above, the contempt application is disposed of by directing the Block Development Officer, Sagardighi Development Block, Murshidabad to pass an order and communicate the action taken pursuant to the order passed in the writ petition to the contempt applicant within a period of two weeks from the date of receipt of server copy of this order by Speed Post with acknowledgement due.
5. If still the applicant is aggrieved, it will be well-open to the applicant to avail other remedies in accordance with law.
6. With the above observation, contempt application stands disposed of.
7. No costs.
8. Urgent photostat certified copy of this order, if applied for, be furnished to the parties expeditiously upon compliance of all legal formalities.

(T.S SIVAGNANAM)
CHIEF JUSTICE

(HIRANMAY BHATTACHARYYA, J.)