

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

**C.P.A.N. 230 of 2025
in
W.P.A. 20896 of 2024
IA No. CAN 1 of 2025**

**Shibaji Mondal & Anr.
-versus
Col. Amitabh Chaudhury (Retired)**

**Mr. S. Datta,
Mr. R. N. Barik.
...For the Petitioners.**

**Mr. Jaharlal Dey,
Ms. Tanushree Mukherjee.
...For the State.**

**Mr. Gopal Chandra Das,
Mr. Dwijadas Chakraborty.
...For KMC.**

**Ms. Ashmita Chakraborty.
...For the Contemnor.**

1. The matter relates to repairing of certain portions of the petitioners' flat. Despite repeated efforts taken by the Court to ensure that the matter gets resolved at the earliest, it appears that the parties are not cooperating with each other.

2. In such a situation, it is not possible for the writ court to decide or settle the issue.

3. The petitioners are directed to approach the competent authority under the West Bengal Apartment Ownership Act, 1972 for taking necessary steps.

4. As the petitioners complain that the roof of their flat is leaking and the petitioners are in great difficulty during the ongoing monsoon, accordingly, the competent authority is directed to dispose of the prayer

of the petitioners at the earliest but positively within a period of four weeks from the date of approaching the authority after giving reasonable opportunity of hearing to all the necessary parties.

5. The contempt application, the writ petition and the connected application stand disposed of.

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

(Amrita Sinha, J.)