

21.11.2025
Ct. No. 38
Daily List Sl. No. 7
Moumita

In The High Court at Calcutta
Special Civil Jurisdiction
Appellate Side

CPAN 374 of 2025
in
WPA 15966 of 2024

Hossain Ali Khan (deceased)
On the death of sole petitioner, represented
by wife Salehar Begum
-Vs.-
Mrs. Bilkish Begum, Pradhan, Tiral Gram
Panchayat, Tiral, Hooghly & Ors.

Mr. Syed Shamsul Arefin
....For the Petitioner

Mr. Sudipto Panda
Ms. Ananya Neogi
....For the Contemnor nos. 2 and 3

The present contempt proceeding has arisen
from an order dated ***April 24, 2025.***

Mr. Syed Shamsul Arefin, learned senior
advocate appears for the petitioner.

Mr. Sudipto Panda, learned advocate
appears for alleged contemnor nos. 2 and 3.

None appears for the alleged contemnor
no.1/Pradhan.

On the prayer of Mr. Panda the compliance
report submitted on behalf of alleged contemnor
nos. 2 and 3 today in Court, are taken on record.

The compliance reports and the records
appended thereto show that the alleged contemnor
no. 1/Pradhan has already passed a reasoned order
and referred the matter before the alleged

contemnor no. 2 for taking further steps following the direction of this Court.

The record further shows that the alleged contemnor no. 2 has also passed its reasoned order on **November 4, 2025** finding unauthorized construction on the subject property and accordingly he recommended demolition of the same, in accordance with law.

Mr. Arefin, learned advocate appearing for the petitioner submits that the alleged contemnor no. 1/Pradhan has not carried out the demolition process as yet following the direction of and pursuant to the direction of the alleged contemnor no. 2. Hence, contempt.

After considering the submissions made on behalf of the parties and on perusal of the materials on record, it appears to this Court that, the alleged contemnor no. 1/Pradhan has passed its reasoned order and referred the matter before the alleged contemnor no. 2/S.D.O. The S.D.O. has also passed its reasoned order recommending demolition, since an unauthorized construction has been detected.

The order dated **June 24, 2024**, does not direct the Pradhan to carry out the demolition work pursuant to the direction of the S.D.O.

Therefore, in the contempt proceeding, in the facts and circumstances of this case, this Court is of

the view that, the contempt proceeding shall not lie against the alleged contemnor no. 1/Pradhan, at this stage.

However, this Court expects that the alleged contemnor no. 1/Pradhan shall takes steps in accordance with law in the light of the reasoned order dated **November 4, 2025** passed by the S.D.O.

The petitioner shall also be at liberty to take further steps in accordance with law for implementation of the direction of the S.D.O.

With the above observations, this contempt proceeding **CPAN 374 of 2025** stands **dropped** and **closed**.

The application **CPAN 374 of 2025** stands **disposed of**, without any order as to costs.

(Aniruddha Roy, J.)