D/L 126
20.02.2025
Court No.14
PRADIP

IN THE HIGH COURT AT CALCUTTA
SPECIAL CIVIL JURISDICTION

CPAN 452 of 2024
In
WPA 5387 of 2021

Sk. Amanullah
Vs.
Secretary Deepchand Ghorai, Sabalsinghapur Gram Panchayat
& Ors.

Mr. Sk. Amanullah
... petitioner in person

Mr. Susanta Pal
Mr. Prabir Kumar Ray
...for the contemnor nos. 3 & 4

1. I have perused the affidavit-of-compliance filed on behalf of the contemnor no. 4. It appears therefrom that, the documents pertaining to unauthorized construction was forwarded to the Sub Divisional Officer and the said officer has passed an order on 28th November, 2024 observing that, no permission is required for erecting the structure of the dimension as per the provisions of the West Bengal Panchayat Act, 2017 (as amended).
2. Whether the order passed by the Sub Divisional Officer is in conformity with law or not has to be considered in a fresh proceeding and cannot be adjudicated in the contempt jurisdiction.
3. In view of the above, the contempt application stands disposed of.
4. It will be open for the petitioner to take up the issue before the competent forum, for remedy, if so advised.
5. Urgent photostat certified copy of this order, if applied for, be supplied to the parties upon compliance of all the requisite formalities.

(Amrita Sinha, J.)