

04-12-2025
Item no.190
Subrata
Bhattacharyya
AR(C)

In the High Court at Calcutta
Special Civil Jurisdiction
Appellate Side

CPAN No.1196 of 2024
Sri Kanai Ojha
-vs-
Mahua Shaoo Bera
arising out of
WPA No.18117 of 2023

Mr. Ramkrishna Bhattacharyya
Ms. Kankana Bhattacharyya
Mr. Mainak Dutta ...for the petitioner

Mr. Uttam Kumar Bhattacharya
Mr. Kaustuv Mishra ...for the contemnor

1. It appears from the report of the Pradhan of the concerned Gram Panchayat dated September 3, 2024 filed in Court that the allegation of unauthorized construction made by the petitioner was considered by the Gram Panchayat. The subject construction was made under the PMAY(G) scheme where there is no requirement of obtaining prior sanction plan.
2. It further appears from the said report that the beneficiary received an instalment of Rs.60,000/- but did not construct the house. The beneficiary defaulted after taking the money thereby causing misuse of the Government scheme.
3. The petitioner is aggrieved by the decision of the Panchayat.
4. As the Panchayat has come to a definite finding that there was no requirement of taking sanction for raising the subject construction, accordingly, the Court is not inclined to proceed with the contempt application any further.

5. Let a copy of the order of the Gram Panchayat dated September 3, 2024 be served upon the petitioner to challenge the same in accordance with law before the competent forum, if so advised.
6. The contempt application is disposed of.
7. All parties are to act on the server copy of this order duly downloaded from the official website of this Court.
8. Certified copy of this order, if applied for, shall be made available to the parties.

[Amrita Sinha, J]