

IN THE HIGH COURT AT CALCUTTA
Special Civil Jurisdiction
Appellate Side

Judgment (2)
Moumita

Present :
The Hon'ble Justice Aniruddha Roy

CPAN 1945 of 2024
in
WPA 24545 of 2023

Smt. Sipra Mitra
-Vs.-
Anuradha Gayen Pradhan, Chakpara
Anadanagar Gram Panchayat, Liluah,
Howrah & Anr.

For the Applicant/Petitioner	:	Mr. Tapan Kumar Rakshit Mr. Surajit Roy
For the Alleged Contemnor	:	Mr. Ayan Banerjee (through virtual mode) Ms. Debjani Sengupta (through virtual mode) Mr. Dhiman Banerjee Ms. Paulomi Ghosh
For the Sub-Divisional Officer, Howrah	:	Mr. Sirsanya Bandyopadhyay, Sr. Standing Counsel Mr. Akash Dutta
Heard on	:	04.07.2025
Order on	:	04.07.2025

Aniruddha Roy, J.:

None appears for the alleged contemnor no. 2.

Pursuant to the leave granted by this court on **June 20, 2025**, the supplementary affidavit filed by the alleged contemnor in Court today is taken on record. Copy has been served upon the petitioner.

On the prayer of Mr. Tapan Kumar Rakshit, learned counsel for the petitioner time to file exception in the form of affidavit stands extended till today. Exception filed in court today is taken on record. Copy has been served.

This is a contempt proceeding arising from an order dated **July 8, 2024 annexure p-1 at page 18** to the contempt application.

Page 14 is the reasoned order dated **June 16, 2025**, part of the compliance report filed by the alleged contemnor. The reasoned order shows that after causing the necessary enquiry, the alleged contemnor no. 1 had opined there is no illegal and unauthorized construction.

The alleged contemnor no. 2 is not represented.

Referring to the various portions from the exception in the form of affidavit filed to report by the petitioner, learned counsel for the petitioner submits that the said reasoned order passed by the alleged contemnor no.1 suffers from various infirmities and the allegations of unauthorized construction was not dealt with appropriately as it was required to be done in the eye of law.

After considering the rival contentions of the parties and on perusal of the materials on record, this court is of the considered view that once the said reasoned order has been passed by the alleged contemnor no. 1 in detail, in compliance of the direction of this court dated **July 8, 2024**, even if there may be some infirmity according to the petitioner in the decision making process of the alleged contemnor no. 1, the same cannot be gone into by this court in its contempt jurisdiction.

The law is well-settled that the correctness, veracity or sufficiency of reasons of the said impugned order which has been passed in compliance of the direction of this court, is not within the domain of this court in its contempt jurisdiction. This court will only look at whether the direction of this court has been willfully and deliberately violated or not.

In view of the above, this court is of the firm view that there is no willful violation of the direction of this court on the part of the alleged contemnor no. 1.

There is no charge of contempt against the alleged contemnor no. 2 in the contempt application.

In view of the above, nothing further survives in this contempt proceeding against the alleged contemnor no. 1.

However, the petitioner shall be at liberty to challenge the reasoned order passed by the alleged contemnor no. 1, if the petitioner is entitled to do so in law through appropriate proceeding.

It is made clear that the grounds taken by the petitioner in his exception challenging the said impugned order has not been gone into by this court and the petitioner shall be at liberty to pursue his challenge on those grounds in the appropriate proceeding in accordance with law.

Accordingly, this contempt proceeding **CPAN 1945 of 2024** stands ***dropped*** and ***closed***.

The application **CPAN 1945 of 2024** stands ***disposed of***, without any order as to costs.

(Aniruddha Roy, J.)