

15th Jan, 2026
Item no.D/L 227
Court No. 18
Pradip, A.R.(Ct.)

In the High Court at Calcutta
Special Civil Jurisdiction
Appellate Side

Case No. **CPAN 356 of 2024**
In
WPA 6723 of 2022

In the matter of :
Narendranath Roy & Anr. *Petitioners*
VS.
Kasturi Chowdhury*Contemnor*

For the Petitioners:
Mr. Saumyen Datta
Mr. Ashutosh Mukherjee
Mr. Kousik Karmakar*Advocates*

For the South Dum Dum Municipality:
Ms. Mousumi Bhowal
Mr. Aman Gupta
Mr. Ishan Bhattacharyya*Advocates*

For the State:
Mr. Sirsanya Bandopadhyay, SSC*Advocate*

1. The report of the Assistant Director & Block Land & Land Reforms Officer, Barrackpore II, North 24 Parganas signed on 14th January, 2026 has been filed by the learned senior standing counsel of the State. The same is taken on record.
2. It appears therefrom that the residential house of the petitioners has been erected just adjacent to LR. Plot No. 706 corresponding to RS Plot No. 1098. Both in the LR and RS records there is no existence of any road over the said plot of land. There is an abandoned pump house found in plot no. 706. Plot no. 706 has been classified as

‘Danga’/ ‘Fallow Land’. The land is recorded in the name Metro Railway, Government of India in full share.

3. In the writ petition prayer was made for directing the municipality to maintain the passage leading to the pump house.
4. The petitioners contends that as the passage leading to the pump house is not maintained by the municipality, it is becoming very difficult for the petitioners to move in and out of their residence.
5. It appears that the petitioners are aggrieved by the manner in which their civil rights have been infringed by the authorities.
6. In such a situation, it will be open for the petitioners to approach the competent civil forum for adjudication of their civil disputes. The disputed facts for adjudication of civil disputes ought not to be entertained in the contempt proceeding arising out of an order passed in the writ proceeding.
7. In view of the above, the contempt application stands disposed of.
8. Urgent photostat certified copy of this order, if applied for, be supplied to the parties upon compliance of all requisite formalities.

(Amrita Sinha, J.)