

Court No. 38
09.01.2026
(Item No. 2)
(AB)

In the High Court at Calcutta
Constitutional Writ Jurisdiction
Appellate Side

W.P.C.R.C 194 of 2025
in
W.P.A. 21779 of 2024

Brindaban Mondal & Anr.
VS
Mrs. Urmi Dey Biswas,
Sub-Divisional Officer, Bongaon Sub-division,
Bongaon, North 24-Parganas & Anr.

Mr. M. Rahaman
Mr. Sankar Paul
Ms. Kumari Shipra Roy
Ms. Shilpa Sarkar
.... For the petitioners

Mr. Ayan Banerjee
Mr. Amritalal Chatterjee
.... For the alleged contemnors

Pursuant to the rule issued by this Court dated **November 21, 2025** the alleged contemnor no. 1 and the alleged contemnor no. 2 both are personally present in Court today. The alleged contemnor no. 1 files a report showing compliance of the direction of this Court, the same is taken on record. Copy has been served upon Mr. M. Rahaman, learned advocate appearing for the petitioner in Court today.

Similarly, the alleged contemnor no. 2 has also filed compliance report by way of an affidavit in Court today, the same is taken on record. Copy has been served in Court today upon the learned advocate appearing for the petitioners.

Mr. Ayan Banerjee, learned advocate appearing for the alleged contemnors submits that, subsequent to the order dated **September 24, 2024** wherefrom

this contempt proceeding arose, the issue has travelled up to the stage of Sub-Section 2 to Section 10 of the West Bengal Highways Act, 1964. The jurisdictional SDO has passed its reasoned order dated **May 2, 2025**. The private respondents in the parent writ petition being aggrieved thereby had filed writ petitions being **WPA 28306 of 2025** and **WPA 29953 of 2025**. A co-ordinate bench after hearing the parties, directed them to prefer statutory appeal. Accordingly, the private respondents preferred the statutory appeal under Sub-Section 4 to Section 10 of the West Bengal Highways Act. The appellate authority by an order dated **January 5, 2026** set aside the said order of the SDO and directed for a fresh hearing. The hearing is awaited before the SDO.

Mr. M. Rahaman, learned advocate appearing for the petitioner has referred to the exception filed by his clients in this proceeding. He submits that, the direction of this Court has not been complied with within the time frame, hence the contempt.

After considering the rival contentions of the parties and on perusal of the materials on record it appears to this Court that, the jurisdictional SDO had already passed its order in exercise of its power under Sub-Section 2 to Section 10 of the West Bengal Highways Act which was carried into an appeal and the appeal was allowed. The appellate authority had

set aside the order of the SDO and directed it to conclude the hearing judiciously.

In view of the above, the jurisdictional SDO shall conclude the hearing in accordance with law and pass its reasoned order positively within a period of **four weeks** from the date of communication of this order.

The reasoned order shall be passed by the SDO would constitute a new and fresh cause of action and therefore nothing further survives to be decided in this contempt proceeding.

In view of the above, this contempt proceeding being **W.P.C.R.C. 194 of 2025** stands **dropped** and **closed**.

Rule, issued, stands **discharged**.

Accordingly, **W.P.C.R.C. 194 of 2025** stands **disposed of**.

(Aniruddha Roy, J.)