

248. 06.03.2026.
Court No.237.
(Pritam)

CPAN 643 of 2025
In
WPA 1194 of 2023.

Jitendra Nath Shit.
-Vs.-
Aloka Sen Majumder,
The Chairperson, Bankura Municipality.

Mr. Bidyut Kr. Halder,
Mr. Indranil Halder.

.....for the petitioner.

Mr. Soumik Ganguli.

.....for the Bankura Municipality.

This contempt application has been filed alleging violation of the order dated March 4, 2025.

In the writ petition, the private respondent had alleged unauthorized construction of an iron gate at the relevant premises at the behest of the petitioner. Pursuant thereto, a notice dated July 25, 2020 was issued to the petitioner by the Bankura Municipality, which was subsequently challenged in the writ petition.

On March 4, 2025, learned counsel appearing for the petitioner submitted that, during the pendency of the writ petition, a demolition order in respect of the said iron gate had been passed by the Bankura Municipality.

Accordingly, the writ petition was disposed of by granting liberty to the petitioner to challenge the said

demolition order in accordance with law. The municipality was further directed to serve a copy of the demolition order upon the petitioner.

However, the affidavits filed before this Court by the petitioner as well as by the municipality present a different factual scenario. It appears that the petitioner alleges that, during the pendency of the writ petition, the municipality undertook demolition proceedings in respect of the said iron gate. On the other hand, the municipality has contended that no demolition order had been passed by it in respect of the said iron gate. This factual controversy has not been examined by this Court in the present contempt proceeding.

Since the municipality, by filing an affidavit, has categorically stated before this Court that no demolition order had been passed by it in respect of the iron gate, there is no justification for keeping this contempt application pending.

The petitioner shall, however, be at liberty to take such steps as may be deemed fit and necessary for restoration of the said iron gate.

Accordingly, **CPAN 643 of 2025** is disposed of.

Urgent Photostat certified copy of this order, if applied for, be supplied to the learned advocates for the parties on usual undertakings.

(Kausik Chanda, J.)