

05.02.2026  
Ct. No.36  
Sl. No.2  
akd

**C. P. A. N. 1075 of 2025**  
**in**  
**W. P. A. 879 of 2025**

*[Smt. Parul Podder -Vs- Somnath Dey]*

Mr. Dilip Kumar Saha  
Ms. Dhriti Das

... for the petitioner

Mr. Arka Tilak Bhadra

... for the alleged contemnor

1. This Court vide order dated 22.04.2025 had disposed of the writ petition being WPA 879 of 2025 wherein direction was given to the respondent-Panihati Municipality to decide the representation of the petitioner dated 25.04.2024 by way of a speaking order in terms of the hearing held on 20.11.2024 within a period of four weeks.
2. Learned counsel for the alleged contemnor tenders unconditional apology for the failure to comply with the said direction within the time stipulated by this court.
3. Affidavit-of-compliance filed on behalf of the alleged contemnor is taken on record.
4. From the affidavit-of-compliance, it appears that an inspection was carried out by the Assistant Sub-Engineer, Panihati Municipality on 17.01.2026. The report also records that one Sri Amol Kumar Das constructed a tile shed and asbestos shed room on his plot without any sanctioned building plan. It further appears that a speaking order has been passed by the Chairman, Panihati Municipality i.e. the alleged contemnor herein, on 28.01.2026 in terms of the direction passed by this court on 22.04.2025.

5. Similar facts are recorded in the speaking order, wherein it is admitted that an illegal construction had been carried out by Sri Amol Kumar Das. The issue of encroachment of land, as alleged by the petitioner has been referred to the B.L. & L.R.O., Sodepur for demarcation, since it relates to a land dispute which is civil in nature and the same cannot be decided by the Chairman, Panihati Municipality i.e. the alleged contemnor herein.

6. It is expected that the alleged contemnor, in terms of the speaking order, shall carry out the demolition of the alleged unauthorized construction in accordance with law.

7. Since the alleged contemnor has decided the representation of the petitioner and has passed a speaking order in compliance with the direction of this Court, nothing survives in the present contempt application.

8. CPAN 1075 of 2025 is accordingly, disposed of with liberty to the petitioner to challenge the said order, if aggrieved.

**(Gaurang Kanth, J.)**