

**In The High Court At Calcutta
Special Civil Jurisdiction
Appellate Side**

**CPAN 102 of 2024
in
W.P.A. 10010 of 2023**

**Sri Ram Sewak Rai
-versus
Sri Dhaval Jain & Ors.**

**Mr. Animesh Paul.
Mr. S. P. Shaw.
Ms. S. Ghorai.
Ms. A. Chatterjee.
...For the Petitioner.**

**Mr. Sandipan Banerjee.
Mr. Ankit Sureka.
Mr. A. Bhattacharya.
... For the HMC.**

1. The order of the Court dated 30th July, 2023 has not been complied with till date.
2. Submission of the contemnor was recorded in the order dated 12th September, 2024 that steps were being taken for complying the direction passed by the Court.
3. Today a communication dated 30th January, 2025 by the Assistant Engineer in-charge, Building Department, HMC addressed to the person responsible for making unauthorised construction has been produced before this Court.
4. It appears that the date of spot inspection has been fixed on 11th February, 2025.
5. The conduct of the Assistant Engineer in-charge, Building Department cannot be

appreciated and is highly deprecated by the Court.

6. For the last four months the contemnors did not take any step to act in terms of the Court's order. Today when the matter is returnable, this letter has been prepared. The same is yet to be served upon the concerned parties.
7. On the request made by the learned counsel representing the contemnor, the contempt application stands adjourned till 27th February, 2025.
8. An affidavit-of-compliance shall be placed before this Court on the adjourned date.
9. Affidavit-of-service filed today is kept with the records.
10. Leave granted to the advocate on record of the petitioner to implead the current incumbent as contemnor in the instant contempt application. The present incumbent shall be obliged to comply with the order passed by the court.

(Amrita Sinha, J.)