

29.02.2024
Ct. No. 19
Sl. No.77
Cp

WPCRC 9 of 2024
in
WPA 23102 of 2022

Dr. Indranil Sinharoy
Vs
Ms. Tuli Mudi & Ors.

*Mr. Abhratosh Majumdar,
Mr. Sayan Sinha,
Mr. Adil Naser,
Mr. Steven S. Biswas*

... for the Applicant/Petitioner.

*Mr. Saptansu Basu, Sr. Adv.
Mr. S.P. Lahiri,
Mr. Keshab Chandra Das
Ms. Aparajita Mondal
Mr. Biplab Adak*

... for the Alleged Contemnors.

A compliance report has been filed before the court by the Pradhan. It appears therefrom that apart from the Thakur Tala, the other encroachments on the road have been demolished, i.e., a private house and a club. Photographs have been submitted before the court which indicate that when demolition of the Thakur Tala was attempted, all the women of the locality protested and the situation had become riotous.

Under such circumstances, it will not be wise for the court to direct demolition at this stage as there will be a law and order issue. The ground reality has to be further assessed by the court.

Mr. Saikat Chatterjee, learned advocate who usually appears on behalf of the State of West Bengal, is directed to

inform the matter to the District Magistrate, Hooghly with regard to the issue involved and serve a copy of this order. A copy of the compliance report be supplied to Mr. Chatterjee for necessary steps.

The District Magistrate will file a report before this court through Mr. Chatterjee, indicating the following:-

- a) The approximate period when such Thakur Tala was constructed. The age of the construction as would appear from the external walls etc. as it appears to the court that the same is pretty recent.
- b) Under whose permission and at whose instance such Thakur Tala had come up.
- c) What were the activities carried out in the Thakur Tala.
- d) What was the idol worshipped as it is a specific case of the applicant that there is no idol inside.
- e) Whether the Thakur Tala obstructed the plying of heavy motor vehicles on the panchayat road.

An affidavit be filed by the concerned Pradhan. Personal appearance of the Pradhan is dispensed with.

Let the matter appear in the list on May 16, 2024.

(Shampa Sarkar, J.)