

S/L 35-36
21.05.2026
Court No.18
SD

IN THE HIGH COURT AT CALCUTTA
SPECIAL CIVIL JURISDICTION

CPAN 1294 of 2024

In

WPA 3699 of 2024

With

WPA 12679 of 2024

Suprakash Maity & Anr.

Vs.

Prakash Chandra Maity & Anr.

Mr. Manoranjan Jana

...for the Applicants.

Mr. Subir Sanyal, Sr. Adv.

Mr. Balai Lal Sahoo

Mr. Amit Bikram Mahato

Mr. Trijit Mitra

...for the Alleged Contemnor.

Mr. Sanjay Saha

...for the Pradhan.

1. The order dated May 15, 2026 passed in MAT 836 of 2026 (Prakash Maity @ Prakash Chandra Maity & Anr. Vs. Suprakash Maity & Ors.) has been placed before this Court.

2. It appears therefrom that the order passed by this Bench in the contempt proceeding on April 9, 2026 was carried in appeal in the aforesaid matter and the Hon'ble Division Bench was pleased not to interfere with the said order.

3. Learned advocate representing the Pradhan relies upon the order of the Sub Divisional Officer, Contai, Purba Medinipur dated May 6, 2026 which mentions that the Sub Divisional Officer directed the Pradhan to demolish the unauthorized construction over JL No. 204, 205 on Plot/Dag Nos.2, 3 and 104/240, Khatian Nos. 520, 741 and 1172.

4. Learned advocate for the petitioner submits that the unauthorized construction over plot/dag no. 104/240 has been partially demolished (only front portion).

5. Learned advocate for the Pradhan submits that the construction over the other plots could not be demolished due to non-cooperation of the police and the Block Development Officer who has been designated as the Executive Magistrate for the entire process.

6. Learned senior counsel representing the person responsible for making the unauthorized construction submits that the unauthorized construction over plot/dag No. 104/240 has been completely demolished.

7. It has been submitted that the construction over plot/dag nos.2 and 3 has not been demolished. It has been admitted that the plan for construction over the aforesaid plots has been sanctioned in respect of G+1 structure.

8. For the rest construction, the person responsible for making the unauthorized construction approached the Court by filing WPA 20396 of 2025 seeking for a direction upon the concerned authority for regularization of the same.

9. Though an order has been passed on December 22, 2025 in the said writ petition directing the Zilla Parishad to consider the petitioner's application in

accordance with law and though process was initiated for consideration of the petitioner's representation by the Additional Executive Officer, Purba Medinipur but final order has not yet been passed. The Additional Executive Officer has recorded that in view of the pending litigation before the High Court, the issue of building permission is kept on hold.

10. Upon hearing the parties and on perusal of the materials on record, it appears that, admittedly, there are portions of construction which have been constructed without any sanction plan.

11. Whether the prayer of the petitioner seeking regularization of the unauthorized construction will be allowed or not is questionable. As on date, there is nothing on record to suggest that, the construction is authorized.

12. In view of the above, the alleged contemnors shall be bound to take steps for demolishing the unauthorised construction in accordance with law.

13. The Sub Divisional Officer has already passed order directing the Officer-in-Charge, Ramnagar Police Station to assist the Pradhan for complying the Court's order and the Block Development Officer, Ramnagar I Block has been directed to act as an Executive Magistrate to the entire process.

14. The alleged contemnors shall take steps to ensure that the order passed by the Court is complied with.

15. Hearing of the contempt application stands adjourned till July 2, 2026.

16. An updated report shall be placed by the Pradhan on the adjourned date.

17. The Officer-in-Charge, Ramnagar Police Station and the Block Development Officer, Ramnagar I Block shall take steps in terms of the order passed hereinabove.

18. Parties to act on the basis of the server copy of this order duly downloaded from the official *website* of this Court.

(Amrita Sinha, J.)