

**CPAN/982/2022**

**MODERN CONSTRUCTION, A PARTNERSHIP FIRM  
VS  
SMT. BANDANA POKHRIYAL, THE COMMISSIONER, HOWRAH  
MUNICIPAL CORPORATION**

**Arising out of**

**FMA 767/2022**

**WITH  
COT/64/2022**

**IA No: CAN/2/2024**

Mr. Ayan Banerjee, Adv.,  
Mr. Arindom Chatterjee, Adv.

...for the petitioner.

Mr. Jayanta Kumar Mitra, Ld. Sr. Adv. (Bar-at-law),  
Mr. Sandipan Banerjee, Adv.,  
Mr. Ankit Sureka, Adv.,

...for HMC/  
alleged contemnor.

1. We are not satisfied with the reports filed by the alleged contemnor from time to time. It is no excuse or explanation to say that the concerned project was not sanctioned by the Government or that the Corporation has no funds.
2. The writ petition of the present petitioner was allowed by a learned Single Judge directing the Howrah Municipal Corporation (HMC) to take a decision on the claim raised by the petitioner herein within the parameters indicated in the order of the learned Single Judge. The Corporation's appeal from that order failed and was dismissed by this Bench. The order of this Bench was not carried to the Hon'ble Supreme Court. That order read with

the learned Single Judge's order has attained finality.

3. We were minded to issue a contempt Rule against the alleged contemnor today itself. It is the eloquence of learned Senior Counsel for the alleged contemnor that dissuades us from doing so and we give one more opportunity to the alleged contemnor to comply with the order in question.
4. List this matter once again on March 6, 2025.

**(Arijit Banerjee, J.)**

**(Rai Chattopadhyay, J.)**