

27.02.2026
DL. 12
S.D.
Ct. No. 236
Bench ID 266052

CPAN 1667 of 2025

Sk. Ahmadullah Asad
Vs.
Mr. Rupak Nandi & Anr.
in
W.P.A. 3500 of 2024

Mr. Goutam Dinda
Mr. Sandip Ray

...For the petitioner

Mr. Anirban Sarkar (through V.C.)

...For the alleged contemnor

1. Affidavit of service filed in Court be taken on record.
2. On behalf of the alleged contemnor, an accommodation has been prayed for. Such prayer is opposed by Mr. Ray, learned advocate appearing for the writ petitioner.
3. It is further submitted by Mr. Ray that from the reasoned order dated January 14, 2026, a copy of which has been placed before this Court, it would be revealed that there was deliberate violation on the part of the alleged contemnors in complying the judgment and order dated April 29, 2025 as passed by this Court in W.P.A. 3500 of 2024.

4. This Court has meticulously gone through the reasoned order dated January 14, 2026 as passed by the alleged contemnor no. 1. On perusal of the concluding part of the said reasoned order, it reveals that alleged contemnor no. 1 while passing the reasoned order noticed encroachment over Government land being L.R. Plot No. 1180 even at the instance of the writ petitioner. So far L.R. Plot Nos. 1179 and 1180 under Mouza – Belari are concerned, the alleged contemnor no. 1 also noticed encroachment in front of Plot Nos. 1179 and 1181 which has been partly acquired by the Government and partly co-owned by the writ petitioner and the respondent no. 13.
5. In view of such, this Court fails to find any reasons as to what resisted the alleged contemnor no. 1 for taking appropriate steps for removal of encroachment on the aforementioned three Government lands after making demarcation with the help of the alleged contemnor no. 2, especially when this Court in its judgment dated April 29, 2025 as passed in W.P.A. 3500 of 2024 directed the present alleged contemnors to proceed in accordance with Section 10 of West Bengal Highways

Act, 1964 immediately after passing of the reasoned order.

6. In view of such, let the matter be listed on March 27, 2026 under the same heading.
7. On the adjourned date, the alleged contemnor shall file their independent/joint report of compliance failing which this Court shall have no other alternative, but to issue Rule of Contempt against them.
8. Mr. Sarkar, learned advocate who appears in the virtual mode today is hereby directed to communicate the server copy of this order to the alleged contemnors forthwith.

(Partha Sarathi Sen, J.)