

D/L 2
12.06.2026
Rohit,A.R.(Ct)
ct.no.236

**IN THE HIGH COURT AT CALCUTTA
SPECIAL CIVIL JURISDICTION
APPELLATE SIDE**

**CPAN 1667 of 2025
in
WPA 3500 of 2024**

**Sk. Ahmadullah Asad
Versus
Rupak Nandi, The Assistant Engineer, PWD & Anr.**

Mr. Goutam Dinda
Mr. Sandip Ray

...for the Petitioner

Mr. Sabir Ahmed
Mr. Dhiman Banerjee

...for the Added Pvt. Respondent

1. Liberty is given to the learned Advocate-on-record to add the private respondents in the instant contempt application by making necessary insertions in the cause title of the instant contempt application in course of this day in Court.
2. Mr. Banerjee, learned Advocate appears on behalf of the private respondent and undertakes to file vakalatnama on behalf of the private respondents positively on or before the adjourned date.
3. Since private respondents are represented by Mr. Banerjee, service of notice upon the private respondents is dispensed with.

4. The petitioner and the private respondent are represented by their respective learned Counsels.
5. Mr. Banerjee, learned Advocate appearing on behalf of the private respondent in course of his submission has filed a copy of the recent order dated 27.04.2026 which is taken on record.
6. It is submitted by Mr. Banerjee that pursuant to the order dated 29.04.2025 as passed by this Court in WPA 3500 of 2024 the alleged contemnor no. 1 has already passed a reasoned order and thus there were sufficient compliance and accordingly the instant contempt application may be disposed of accordingly.
7. Per Contra, Mr. Ray, learned Advocate appearing on behalf of the petitioner also files a copy of memo dated 27.04.2026 as issued by the Assistant Engineer, Uluberia Highway Sub-Division, Public Works (Roads) Dte. It is submitted that by memo dated 27.04.2026 the private respondents were directed to remove the encroachment and restore the land in the original condition within fifteen days.

8. It is further submitted by Mr. Ray that despite service of memo dated 27.04.2026 the illegal encroachment has not been removed by the private respondent and, therefore, the alleged contemnor no. 1 is duty bound to remove such encroachment pursuant to the order dated 29.04.2025 as passed in WPA 3500 of 2024.
9. None appears on behalf of the alleged contemnors though on the last occasion they were represented by Mr. Chandi Charan De and Mr. Anirban Sarkar, learned Advocates.
10. On careful perusal of the entire materials as placed before this Court and after hearing the learned Advocates for the parties this Court finds sufficient force in the submission of Mr. Ray.
11. Accordingly, this Court directs the learned Advocate-on-record for the petitioner to cause a fresh service of the instant contempt application along with a server copy of this order to the office of the learned G.P, High Court at Calcutta positively within seven working days from today.
12. Learned G.P, High Court, Calcutta is hereby requested to take appropriate steps for representing the alleged contemnors of the

instant contempt application on the adjourned date failing which this Court shall have no other alternative but to issue rule against the alleged contemnor no. 1.

13. Let the matter be listed for further consideration on July 3, 2026 under the same heading.

14. Before parting with this Court further requests the learned Advocate-on-record for the writ petitioner to communicate the server copy of this order to the alleged contemnor by Speed Post and to file proof of service on the adjourned date.

15. It is further made clear that the pendency of the instant contempt application will not prevent the alleged contemnor no.1 and/or Assistant Engineer, Uluberia Highway Sub-Division, Public Works (Roads) Dte to proceed with the removal of encroachment as communicated vide memo dated 27.04.2026.

(Partha Sarathi Sen, J.)