

D/L.1.
July 31, 2026.
MNS.

WPCRC 166 of 2026
in
WPA No. 13850 of 2023

Sk. Makbul Ahmed and another
Vs.
Mr. Debabrata Sarkar

Mr. Rahul Deb Goenka

...for the petitioners.

Mrs. Indrani Chakraborty,
Ms. Soma Chakraborty, Advs.

...for the alleged contemnor.

1. From the compliance report filed by the alleged contemnor dated July 24, 2026, it transpires that, pursuant to the order of this Court dated April 4, 2024 passed in WPA No. 13850 of 2023, the alleged contemnor has, upon giving appropriate hearing to the interested parties and on the basis of the materials before him, disposed of the representation given by the writ petitioners and, upon conclusion of the proceeding, has passed a final order dated May 27, 2025, directing removal of the unauthorized constructions on the subject property.

2. However, during preparation and execution of the demolition order, the Sub-Divisional Officer inspected the site and found that the unauthorized structures were connected with live electrical installations and consequently the Station Manager, WBSUEDCL, Panskura

Power Station was requested to disconnect the electricity supply to facilitate safe demolition.

3. From the compliance report, it further transpires that in the meantime the private respondents have preferred Appeal Case No. 18(AO) of 2025 under Section 7 of the West Bengal Public Land (Eviction of Unauthorized Occupants) Act, 1962 before the District Magistrate, Purba Medinipur, challenging the order dated May 27, 2025 passed by the Sub-Divisional Magistrate.

4. In the said appeal, an interim order has also been passed and the appeal is pending for adjudication.

5. Thus, upon perusal of the said report, it is evident that the alleged contemnor had fully complied with the order of this Court to the best of his ability.

6. The subsistence of an interim order passed in appeal operates as an impediment to the alleged contemnor to proceed with the demolition of the unauthorized structures and as such, the alleged contemnor cannot be made liable for the same.

7. Thus, in view of the order-in-question having been complied with, WPCRC 166 of 2026 stands discharged and CPAN 742 of 2025 stands disposed of.

8. Urgent photostat certified copies of this order, if applied for, be given to the parties upon compliance of due formalities.

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(Sabyasachi Bhattacharyya, J.)