

BEFORE
HON'BLE THE CHIEF JUSTICE MR. AJIT SINGH
HON'BLE MR. JUSTICE MANOJIT BHUYAN

4.12.2017

(Ajit Singh, C.J.)

Mr. NJ Khataniar, learned counsel for the petitioners.

Mr.SK Talukdar, learned counsel for Respondent No.3,
Mr.P Sundi, learned counsel for Respondent No.6 and
Mr.BP Borah, learned counsel for Respondent No.7.

In the present petition, the petitioners have prayed for initiating contempt proceedings against the respondents for willfully disobeying the judgment and order dated 3.1.2017 passed by this Court in PIL No.39/2009.

It appears that Respondent No.7 had made certain constructions for commercial purpose beyond the sanctioned map. Aggrieved, the local residents filed PIL No.39/2009, in which, vide judgment and order dated 3.1.2017, a Division Bench directed the district authorities to demolish the illegal constructions. And since the illegal constructions of Respondent No.7 was not being demolished by the remaining respondents, the petitioners filed the present petition.

The Deputy Commissioner of the District and also the Chairperson of the Tezpur Municipal Board have stated on oath that all the illegal constructions made by Respondent No.7 have been demolished in compliance of the order of this court. They have also filed photographs to show demolition of such illegal constructions.

After hearing the learned counsel for the parties, we are convinced that the order of this court has been substantially complied with. There is also certificate dated 1.9.2017 (Annexure-F)

annexed to the affidavit-in-reply by the Chairperson, Tezpur Municipal Board, which confirms that all the illegal/unauthorized constructions have been demolished. We, therefore, find no justification to proceed further with the present contempt petition.

The petition stands finally disposed of.

JUDGE

CHIEF JUSTICE

skd