

**HIGH COURT OF TRIPURA
AGARTALA**

Cont. Cas(C) 94 of 2024

Smt. Bharati Debbarma

Daughter of Late Chitta Ranjan Debbarma,
resident of village Lake Chowmuhnai, Krishnanagar,
P.O & P.S-Agartala, District- West Tripura.

---Petitioner(s)

Versus

1. Dr. Vishal Kumar

Son of not known, holding the post of DM & Collector, West Tripura, having his office at 22 Office Lance, Agartala, West Tripura, Pin-799001

2. Sri Sajal Biswas,

Son of not known, holding the post of ADM, West Tripura, having his office at 22 Office Lance, Agartala, West Tripura, Pin-799001.

----Respondent-contemnor(s)

For the Petitioner(s)

:

Mr. Somik Deb, Sr. Advocate

Mr. Abir Baran, Advocate

For the Respondent-contemnor(s) :

Mr. SM Chakraborty, Sr. Advocate

Mr. Kohinoor N. Bhattacharyya, Advocate

HON'BLE MR. JUSTICE ARINDAM LODH

Order

10.03.2025

Heard Mr. Somik Deb, learned senior counsel assisted by Mr. Abir Baran, learned counsel appearing for the petitioner. Also heard Mr. SM Chakraborty, learned senior counsel assisted by Mr. Kohinoor N. Bhattacharyya, learned GA appearing for the respondent-contemnors.

This contempt application arises due to alleged non-compliance or willful disobedience of the order dated 30.05.2024 passed by this Court in WP(C) No.373 of 2024 titled as ***Smt. Bharati Debbarma vs. The State of Tripura and 3 Ors.*** The relevant paragraphs of the order may be reproduced here-in-below:-

“6. On perusal of the Sale Deed, I find that the present petitioner has purchased the land from Sunil Debbarma, who was the purchaser of the land in question from the original owner late Pramendra Kishore Debbarma. Since these facts are admitted and apparent on the face of the record, I am not inclined to send the matter to be decided by the LA Officer.

7. Since till today the DM & Collector, West Tripura has not applied his mind to the demand notice sent by the petitioner, I direct the DM & Collector, West Tripura, to grant the compensation out of the acquisition in favour of the petitioner, namely, Smt. Bharati Debbarma, within a period of 2 (two) months from today."

Since the afore-quoted directions were not complied with, the petitioner has come up before this court with the present contempt petition. In the contempt petition, Smt. Bharati Debbarma has stated that the respondent-contemnors have willfully violated/disobeyed the order of this Court. On receipt of notice, the respondent-contemnors appeared before this court and filed counter affidavit. In the counter affidavit they have stated that Sunil Debbarma had disputed the sale deed and also filed a complaint before the concerned police station and the complaint was entered in the general diary of the concerned police station.

Learned senior counsel has drawn my attention to a communication made by one Ranjit Kr. Das, Sub-Registrar, Sadar, West Tripura addressed to the Land Acquisition Officer, West Tripura District wherein it is stated that he authenticated the copies of the registered deed vide no.I-1090, dated 05.02.1992 and found that the names of the executants are mismatched. From the said communication it also reveals that no deed vide no.1090 dated 16.03.1992 (Annexure-K to the counter affidavit filed by the respondent-contemnors) was found in the records.

Learned senior counsel has submitted that the respondent-contemnors, though, virtually was to comply the order of this Court and for that purpose they also requested the learned advocates of the petitioner to submit indemnity bond to receive the amount awarded as compensation, but later on, on receipt of the above noted complaint lodged by one Sri Sunil Debbarma they had to make an inquiry and on inquiry it was revealed that the sale deed in question of Smt. Bharti Debbarma is under serious dispute. So, for the interest of justice, they have not been able to release the amount of compensation awarded in favour of Smt. Bharati Debbarma. Learned senior counsel has submitted that the writ petitioner has committed serious fraud.

However, without entering into the question that whether the fraud was committed or not, this contempt application may be disposed of at this stage

since in my opinion, the respondent-contemnors have not disobeyed the order of this Court willfully or deliberately.

In view of this, I do not find any ground to take cognizance of the complaint agitated in the contempt application.

Accordingly, the instant contempt petition is closed and thus disposed of.

JUDGE

Rohit
SAIKA
T KAR

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by SAIKAT KAR
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