

S/L 142
11.08.2022
Court. No. 19
GB

WPCRC 38 of 2022
In
WPA 480 of 2018

Sankarpada Ghosh @ Sankar Ghosh & Ors.
VS
Indranil Chakraborty & Anr.

Ms. Rajlakshmi Ghatak

...for the Petitioners.

*Mr. Chandi Charan De,
Mr. Anirban Sarkar.*

...for the Alleged Contemnor No.1.

*Mr. Wasim Ahmed,
Sk. Md. Masood..*

...for the Alleged Contemnor No.2.

Mr. Indranil Chakraborty, The Special Land Acquisition Officer, Hooghly and Mr. Dibyendu Bag, The Executive Engineer, Hooghly Highway Division No.1 are personally present in Court. They are represented by their learned advocates.

Mr. Indranil Chakraborty has filed a compliance report. It has been categorically stated that a portion of the land belonging to the petitioners had been utilized by the Executive Engineer, Hooghly Highway Division No.1, for construction of a road. As the said land was not a part of the land acquisition proceeding in terms of the prevailing law, the only way that the petitioners could be compensated, was by direct purchase policy. Accordingly, an intimation was sent to the PWD Roads for necessary action and compliance. Beyond such steps, which had been taken by Mr. Indranil Chakraborty, nothing further actually remained to be done by the said alleged contemnor.

However, in compliance of the order of this Court, steps were taken for payment of the compensation from the funds of the Land Acquisition Department.

Mr. Dey, learned Additional Government Pleader states that the Land Acquisition Department made a special provision for payment of the amount to the petitioner, but

the PWD is yet to transfer the amount payable either to the Land Acquisition Department or to the District Magistrate, under the appropriate head.

Mr. Dibyendu Bag, The Executive Engineer, Hooghly Highway Division No.1, personally submits before the Court through his learned advocate that the issue is now with the Finance Department and once the approval of the Finance Department is received, intra departmental transfer of the amount shall be completed. Of course it is not for this court to comment on the issue of such inter departmental transactions.

Under such circumstances, the Court expresses its appreciation for the steps taken by the Special Land Acquisition Officer, Hooghly.

Accordingly, the contempt application is disposed of, upon recording the satisfaction of the petitioners with regard to the payment, which was received on August 8, 2022 in compliance with the order of this Court.

The personal appearances of Mr. Indranil Chakraborty and Mr. Dibyendu Bag are dispensed with.

The contempt proceedings are dropped.

All the parties are directed to act on the basis of the server copy of this order.

(Shampa Sarkar, J.)