

22.09.2022
Ct. 25
Sl. 2+3
Sp.

C.P.A.N. 710 of 2022
In
W.P.A. No. 3556 of 2020
Sri Bimal Kumar Biswas
-Versus-
Shir Madhav Bisai

Mr. Tanmoy Mukherjee,
Mr. Kausik Roy,
Mr. Souvik Das,
Mr. K. Raihan,
Mr. Rudranil Das

.for the petitioners

Mr. Chandi Charan De,
Mr. Anirban Sarkar

....for the contemnor

Mr. De, learned advocate appears for the alleged contemnor and submits that the order has been duly complied with. A copy of the order sheet has been filed by Mr. De, which is taken on record.

Mr. Mukherjee, learned advocate appearing for the petitioner draws the attention of the Court to the order sheet and submits that the said order was communicated to the petitioner only on September 20, 2022.

It appears from the order sheet that the final order was passed on August 31, 2022 and this Court is satisfied with the submission of Mr. Mukherjee that the delay in communicating the order passed by the alleged

contemnor compelled the petitioner to approach this Court.

Mr. De, learned advocate appearing for the alleged contemnor submits that though there was some delay but the same was unintentional.

In view thereof, this Court refrains from making any adverse remarks against the alleged contemnor. However, this order should be treated to be a caution to the alleged contemnor to comply with the order passed by this Court in its true letter and spirit.

Mr. Mukherjee submits that the decision of the collector is dehors the provisions of the Land Acquisition Act, 1894. This Court in its contempt jurisdiction cannot enter into the legality of the said order and it will be open to the petitioner to take appropriate steps in accordance with law, if so advised.

With the above observations, the contempt application stand disposed of.

Urgent photostat certified copy of this order, if applied for, be given to the parties on priority basis.

(Hiranmay Bhattacharyya, J.)

