

25-03-2022

Item no.2

Subrata

IN THE HIGH COURT AT CALCUTTA

Special Jurisdiction

Appellate Side

WPCRC No.22 of 2022

Jayanta Mondal & Ors.

-vs-

Abhishek Biswas & Anr.

arising out of

WPA No.6206 of 2019

Mr. M.P. Gupta

Mr. D.K. Saila

Mr. Ayan Mitra

Ms. Antara Panja

...for the petitioners

Mr. Soumitra Bandopadhyay

Mr. Susovan Sengupta

Mr. Subhasis Bandopadhyay ...for the contemnners

Mr Abhishek Biswas, Special Land Acquisition Officer, South 24-Paranas, pursuant to the contempt rule, issued on February 11, 2022, is personally present in court and through his counsel he tenders unconditional apology and submits that the alleged contumacious act was not deliberate and willful and difficulty in implementing the order of this court dated December 6, 2019 was genuine and because of communication gap between the respondents and the representing counsel in presenting the actual facts at the time of passing the order of this court and that he is always ready to comply with the order of this court but due to reason beyond his control the amount of award in question has already been deposited by him to the Special Land Acquisition Judge, South 24-Parganas, Alipore Judges' Court on September 3, 2019 while the order of this court was passed on December 6, 2019.

It is further submitted on behalf of the alleged contemner that he has no objection in any manner, if the

petitioners make an application before the aforesaid Special Land Acquisition Judge for withdrawing the awarded money in question and he will render full cooperation.

Considering the submission of the parties, apology of the alleged contemner is accepted and the contempt rule is discharged by granting liberty to the petitioners to make an appropriate application before the Land Acquisition Judge for withdrawing the awarded money in question. If such application is made, the alleged contemner will fully cooperate in expeditious disposal of the said application and the learned Land Acquisition Judge shall also see that the said application to be filed by the petitioner is disposed of as expeditiously as possible, preferably with two months from the date of making such application.

With the above observations and directions, the contempt proceeding is dropped and the contempt rule being WPCRC No.22, 2022 stands discharged.

[Md. Nizamuddin, J]

