

21.04.2023

CPAN 734 of 2022
In
WPLRT 20 of 2020

Hari Pada Jana & Ors.
Vs.
Mr. Ramji Yadav & Anr.

Mr. Rajdip Ray
Ms. Ananya Dutta

... ... for the applicants

Mr. Jaharlal De
Mr. Supratim Dhar
Mr. Tapas Ballav Mandal

... ... for the contemnors

We have heard Mr. Rajdip Ray, learned advocate representing the petitioners and Mr. Jaharlal De along with Mr. Supratim Dhar, learned advocate representing the alleged contemnors.

It appears that the applicants in this contempt application have prayed for direction upon the alleged contemnors to give effect to the order by recording their names in the records of rights.

We have not passed any positive direction to that effect in the order, however, we have set aside the order of the learned tribunal with our observations in justification for quashing the decision of the respondent authorities which was passed disregarding the order passed by the Civil Court. The recording of the names of the petitioners may be a consequence of the order being passed by us in the writ petition. However, we have not passed any positive direction to that effect. The applicants/petitioners have requested the authorities

concerned in its representation dated 23rd September, 2021 to give effect to the said order.

We feel that the respondent authorities ought to have responded to the said representation and should not have sat idle over the matter for almost one and half year. In absence of any positive direction to record the names of the applicants/petitioners, we feel that the contempt application is not maintainable, however, we expect the authorities concerned to respond to the said representation and act in accordance with law as it is expected from the functionaries of the State.

Accordingly, CPAN 734 of 2022 is dismissed.

(Soumen Sen, J.)

(Hiranmay Bhattacharyya, J.)