

ORDER

OD-2

CC/57/2019
IN
WPO/61/2017

IN THE HIGH COURT AT CALCUTTA
SPECIAL CIVIL JURISDICTION (CONTEMPT)
ORIGINAL SIDE

ADITYA ALMAL AND ANR.
VERSUS
AGHORE KUMAR ROY AND ANR.

BEFORE:

THE HON'BLE JUSTICE HARISH TANDON
Date : 3rd May 2023.

APPEARANCE:

Mr. Arijit Bardhan, Advocate
Mr. Rishabh Dutta Gupta, Advocate
..... for petitioners.

Mr. Supratim Dhar, Advocate
..... for alleged contemnor no.1.

Mr. Alak Kumar Ghosh, Advocate
Mr. Swapan Kumar Debnath, Advocate
..... for alleged added contemnor.

The Court:- Pursuant to the direction passed on 18th April 2023, the Collector as well as the alleged added contemnor sat across the table and arrived at the consensus that a further sum of Rs.63,58,804/- is required to be paid to the petitioners. In fact, the said amount has been disbursed to the First Land Acquisition Collector, Kolkata, as reflected in a communication dated 02.05.2023. Learned advocate appearing for the alleged contemnor submits that the said amount has been received and shall be disbursed to the petitioners within a week from date after

completing all other formalities required in this regard. The alleged added contemnor has also submitted a report disclosing the aforesaid facts.

The order which is complained of to have been violated is specific and explicit whereby the State Government was directed to take steps relating to the revision of the compensation for the period from midnight of 31st March 1992 till the property is either acquisitioned or, in the event no acquisition proceeding is initiated, till the date of delivery of possession. It is also not in dispute that the property has been delivered to the petitioners and therefore, the only entitlement of the petitioners, which I perceive now, is the monetary compensation which, in fact, has been paid. Whether the quantum of compensation is fair and justified cannot be gone into in exercise of contempt jurisdiction, the moment the Court finds that the order has been complied with. It is open to the petitioners to take appropriate steps as permissible in law.

Since the compliance has already been made, though belatedly, I do not intend to continue with the instant contempt application. The contempt proceeding is thus dropped. Rule is discharged.

(HARISH TANDON, J.)