

Item- 27-11-2025
ML-87.

sg Ct. 19

CPAN 1147 of 2025
In
WPA 7379 of 2015
CAN 1 of 2025

Saisuddin Sk.
Versus
Rajarshi Mitra,
The Collector, Murshidabad

Mr. Amit Kumar Pan
Ms. Tanusri Santra
...for the petitioner
Mr. Chandi Charan De, AGP
M. Anirban Sarkar
...for the alleged contemnors

In Re: CAN 1 of 2025

This is an application for modification of the order dated 9th September, 2024 passed in WPA 7379 of 2015. By the judgment and order dated 9th September, 2015, the writ petition was allowed by directing the Collector, being the fifth respondent, to initiate fresh proceeding for acquisition of the land in question in accordance with the provision of 2013 Act and conclude the same by paying compensation to the petitioner, if he is entitled to, or to any other interested person. The entire exercise shall be completed as expeditiously as possible but positively within a period of four months from the date of receipt of the server copy of this order.

The application for modification has been taken out by the State of West Bengal, the Collector under Act-I of 1894, the Special Land Acquisition Officer, Murshidabad, the Additional Land Acquisition Officer, Murshidabad and the Collector, Murshidabad under 2013 Act. In the said

application, it has been specifically stated that the applicants are ready and willing to initiate a proceeding under direct purchase policy and to conclude the same within four months from the date of passing of the order.

Mr. Amit Kumar Pan, learned Advocate appearing for the petitioner submits that the order dated 9th September, 2024 may be modified subject to the condition that if the entire proceeding under the direct purchase policy including the payment is not made within the stipulated time limit, the directions contained in the order dated 9th September, 2024 shall stand revived.

From the materials disclosed in the application for modification, it appears that the writ petitioner is also ready and willing to accept the amount as per the direct purchase policy.

In view thereof, the order dated 9th September, 2024 stand modified only to the extent as indicated hereinafter.

The applicants in CAN 1 of 2025 are directed to complete the entire process in terms of the direct purchase policy and release the payment to the petitioners/opposite parties in CAN 1 of 2025 as expeditiously as possible but positively within a period of four months from date.

It is, however, made clear that in the event the payment is not made within the time limit as indicated hereinbefore, this order shall automatically stand recalled and the directions contained in paragraph 23 of the judgment and order dated 9th September, 2024 shall automatically stand revived.

With the above observations and directions, CAN 1

of 2025 stands disposed of.

Let the contempt application go out of list at present with liberty to the petitioner to take appropriate steps in accordance with law if the occasion so arises.

(Hiranmay Bhattacharyya, J.)