

19.06.2024
Item No.38
Ct. No.26
CHC

C.P.A.N. 1625 of 2023
Abu Raihan & ors.
Vs.
Mr. Debnath Pal, The Block Land and Land
Reforms Officer, Khargram
in
WPLRT 154 of 2022
Abu Raihan & ors.
Vs.
The State of West Bengal & ors.

Ms. Joyee Maiti, Advocate
...for the petitioners

Mr. Amitesh Banerjee, Sr. Advocate
Mr. T. M. Siddiqui, A.G.P.
Mr. Mrinal Kanti Ghosh, Advocate
...for the alleged contemnor

Petitioners complain of violation of the order
dated June 21, 2023.

Affidavit filed in Court be taken on record.

By the order dated June 21, 2023, the Court
directed the concerned Block Land and Land Reforms
Officer to act in terms of the order dated March 6,
1997 passed by the High Court in CR 700(W) of 1986
within a period of four weeks from the date of
communication of this order.

The order dated June 21, 2023 remains
uncomplied with till the filing of the contempt
petition.

During the pendency of the contempt
petition, the concerned B.L. & L.R.O. acted in terms
of the order dated June 21, 2023 and recorded the

subject property in the name of the writ petitioners of CR 700(W) of 1986.

Learned advocate appearing for the petitioners submit that, the petitioners are the heirs and legal representatives of the deceased writ petitioner of CR 700(W) of 1986. Respondents herein applied before the concerned B.L. & L.R.O. for mutation of the name of the petitioners in the record of rights.

Since, the Court directed the B.L. & L.R.O. to act in terms of the order dated March 6, 1997 passed by the High Court in CR 700(W) of 1986 and the concerned B.L. & L.R.O. did so, it cannot be said that, B.L. & L.R.O. acted in willful or contemptuous disregard of such order.

The right of the writ petitioners to obtain mutation of the subject property need not be decided in the contempt petition. The same is kept open.

C.P.A.N. 1625 of 2023 is disposed of accordingly.

(Debangsu Basak, J.)

(Partha Sarathi Sen, J.)