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13.11.2024
Ct. No. 11
rrc

WPLRT 136 of 2023
(Bhanu Chandra Shit Vs. The State of
West Bengal & Ors.)

Mr. Sujit Kumar Rath
Mr. Sukumar Sarkar
Mr. Anirban Saha
..... For the petitioner

Mr. Somnath Ganguli, Ld. AGP
Mr. Raja Ram Banerjee
..... For the State respondents

Affidavit-of-service, as filed, be kept with the records.

By filing this writ petition, the petitioner has challenged the order dated 21st September 2023, passed in a contempt application being MA 833 of 2021, which was filed on the grounds of alleged violation of the order dated 5th April, 2021 passed in Original Application (OA) No. 1370 of 2019.

The impugned order in the writ petition indicates that the contempt application being MA 833 of 2021 was dropped since a compliance report had been filed on behalf of the alleged contemnor.

Mr. Rath, learned advocate representing the petitioner, submits that the BL&LRO did not dispose of the said Misc. Case within the period stipulated by the learned Tribunal, and therefore, the contempt application was filed.

Records reveal that the Misc Case being MA 5 of 2016 has been disposed of by the BL&LRO, Danton –II, Paschim

Medinipur. Therefore, there has been no deliberate or wilful violation of the order dated 5th April, 2021.

In view thereof, we are not inclined to interfere with this writ petition.

However, this order shall not preclude the petitioner from filing the statutory appeal in accordance with the law, and the petitioner shall be at liberty to raise the issue of the pendency of this proceeding while explaining the delay in filing the statutory appeal.

The writ petition is disposed of.

There shall, however, be no order as to costs.

(Partha Sarathi Chatterjee, J.) (Tapabrata Chakraborty, J.)