

04.03.2025
Item No.3
PG/KS
Ct. No.1

C.P.A.N. 262 of 2025
In
W.P.A.(P) 11 of 2024
Samsul Alam Sk
Versus
Mr. Pranab Kumar Santra, the Block Land and Land Reforms
Officer, Mathurapur – II Block

Mr. Lakshminath Bhattacharya
Mr. Arpan Bairagi

.....For the Contempt Applicant

Mr. Tapan Kumar Mukherjee
Ms. Ashmita Chakraborty

.....For the Alleged Contemnor

1. This contempt petition has been filed alleging willful disobedience of the order and direction dated 8th February, 2024 in W.P.A.(P) 11 of 2024, which is to the following effect:-

“1. The writ petitioner has filed this Public Interest Litigation alleging illegal construction of a Government road. Representation given by the petitioner has evoked the respondents and an Assistant Engineer, Joynagar Sub-division, PWD Department has already initiated action and addressed the Block Land and Land Reforms Officer, Mathurapur II Block, South 24 Parganas by communication dated 30.01.2024 requesting the Block Land and Land Reforms Officer, Mathurapur II Block, South 24 Parganas to verify whether the persons mentioned for complaint for encroachment over the plot and, if there is any encroachment over the said encroachment, the encroached area may be satisfied and the R.O.R. shall be provided at the earliest.

2. The Block Land and Land Reforms Officer, Mathurapur II Block, South 24 Parganas shall take note of the communication sent by the Assistant Engineer, Joynagar Sub-division, P.W.D. dated 30.01.2024 and immediately take action in accordance with law.

3. The above direction be complied with within a period of three weeks from the date of receipt of the server copy of this order.

4. In the result, the writ petition stands disposed of.”

2. We have requested Mr. Tapan Kumar Mukherjee, learned Senior Standing Counsel for the State to accept notice on behalf of the State respondent/alleged contemnor and his appearance shall be regularized by the learned Legal Remembrancer.
3. The direction issued in the writ petition was to the Block Land and Land Reforms Officer, Mathurapur – II Block, South 24 Parganas, who was directed to take note of the communication sent by the Assistant Engineer, Joynagar Sub-Division, Public Works Department dated January 30, 2024. In the said communication, the Assistant Engineer has requested the Block Land & Land Reforms Officer, Mathurapur – II Block, South 24 Parganas to verify whether the persons mentioned in the complaint are actually encroachers and whether there is any encroachment and necessary information be furnished and the Record of Right shall also be provided at the earliest.
4. It appears that the direction has not been complied with within the time frame of three weeks, which was granted by this Court.
5. The learned advocate appearing for the contempt applicant/writ petitioner has communicated the order on 11th March, 2024.
6. Considering the facts and circumstances of the case, this Court is inclined to extend the time for compliance of the direction by a further period of six weeks from the date of receipt of the server copy of this order and the Block Land & Land Reforms Officer, Mathurapur – II Block, South 24 Parganas shall immediately cause verification of the details

furnished in the representation given by the contempt applicant/petitioner, examine as to whether there is any encroachment on a Government road, take note of the Record of Rights and all other revenue records and proceed to take action in accordance with law.

7. The Block Land & Land Reforms Officer, Mathurapur – II Block, South 24 Parganas is directed to send a communication to the contempt applicant/writ petitioner about the action taken. In case the Block Land & Land Reforms Officer, Mathurapur – II Block, South 24 Parganas does not comply with this order, this Court may be constrained to *suo moto* reopen this contempt petition, which is being disposed of by this order.
8. With this above observation, contempt petition stands disposed of.
9. No costs.
10. Urgent photostat certified copy of this order, if applied for, be furnished to the parties expeditiously upon compliance of all legal formalities.

(T.S SIVAGNANAM)
CHIEF JUSTICE

(SUPRATIM BHATTACHARYA, J.)