

01.05.2025
Item No.42
Ct. No.26
CHC
(disposed of)

W.P.L.R.T. 48 of 2025

Bijoy Kumar Kulin
Vs.
The State of West Bengal & Ors.

Mr. Rabindranath Mahata, Advocate
...for the writ petitioner

Md. T. M. Siddiqui, Ld. A.G.P.
Mr. Saptak Sanyal, Advocate
Mr. S. Adak, Advocate
...for the Stat

1. Writ Petition is directed against an order dated January 22, 2025, passed by the West Bengal Land Reforms and Tenancy Tribunal in O.A. 696 of 2022 (MA 236 of 2024) (LRTT).
2. Learned Tribunal found the contempt petition to be barred by laws of limitation.
3. Petitioner approached the Tribunal complaining of violation of the order dated March 31, 2023. Such order dated March 31, 2023, required the Block Land and Land Reforms Officer to dispose of the proceedings within a period of four months from the date of communication of the order to him.
4. Order dated March 31, 2023 was communicated to the concerned Block Land and Land Reforms Officer on April 27, 2023. Period of four months to comply with the order therefore commences on and from April 28, 2023.

5. Order dated March 31, 2023, therefore, required the concerned Block Land and Land Reforms Officer to complete the proceedings by August 28, 2023 taking into account the fact that, the order was received by him on April 27, 2023. Therefore, the contempt petition filed within August 27, 2024 will be construed to be within the period of limitation. In the instant case, the contempt petition was filed on July 1, 2024 which is within the period of limitation.
6. In such circumstances, we find that, the learned Tribunal erred in dismissing the contempt petition on the ground of limitation.
7. Consequently, we set aside the impugned order dated January 22, 2025 and remand MA 236 of 2024 to be heard and decided on merits.
8. **W.P.L.R.T. 48 of 2025 is disposed of.**

(Debangsu Basak, J.)

(Md. Shabbar Rashidi, J.)