

Dd 7 29.10.2025

WPCRC/160/2025
NITYANANDA BANDYOPADHYAY (SINCE
DECEASED) REPRESENTED BY HIS HEIRS
AND LEGAL REPRESENTATIVES KRISHNAN
BANERJEE & ORS.
VS
SHRI ACHYUTANANDA PATHAK AND ANR.
in
WPLRT/291/2014
NITYANANDA BANDYOPADHYAY
VS
THE STATE OF WEST BENGAL & ORS

Mr. Nirbanesh Chatterjee,
Mr. Muktokesh Das, Advocates
... .. For the Petitioner

Mr. Chandi Charan De, AGP
Mr. Supratim Dhar, sr. adv.
Mr. Anirban Sarkar, Advocate
.. ...For the alleged contemnors

1. Affidavit-of-compliance filed in Court be taken on record. From the affidavit-of-compliance it transpires that, the name of the petitioner before the High Court was recorded in the Record of Rights as was directed by the order dated September 22, 2014.
2. Learned advocate appearing for the petitioners submits that, Nityananda Bandyopadhyay who was the petitioner in WPLRT 291 of 2014 in which the order dated September 22, 2014 was passed and in respect of which, violation is complained of in the contempt petition, expired. Subsequently, the heirs and legal representatives of late Nityananda Bandyopadhyay was before the Hon'ble Supreme Court. The respondents were aware of the heirs and legal representatives of late Nityananda

Bandyopadhyay. The respondents, therefore, were required to incorporate the names of the heirs and legal representatives of late Nityananda Bandyopadhyay in the Record of Rights.

3. Learned advocate appearing for the alleged contemnors submits that, since, violation of the order dated September 22, 2014 was complained of in the contempt petition and since, such order required the concerned Block Land and Land Reform Officer to correct the settlement Record of Rights by inserting the name of the petitioner, the authorities did so. In the event, the present petitioners apply for mutation on the death of Nityananda Bandyopadhyay, the same will be considered in accordance with law. He submits that, the compliance be accepted as sufficient.
4. Petitioner approached the High Court complaining of violation of the order dated September 22, 2014 passed in WPLRT 291 of 2014. Such order directed the concerned BL & LRO to correct the settlement Record of Rights by inserting the name of the petitioner on the basis of the registered deed of sale dated June 14, 1977.
5. Special leave petition carried against the order dated September 22, 2014 was dismissed.
6. Now, the concerned BL&LRO recorded the name of Nityananda Bandyopadhyay in the settlement Record of Rights on the basis of registered deed of sale dated June 14, 1977. Strictly speaking, we are not in a position to say that, the contemnors acted in wilful violation of the order. However, there is substance in the contention of the petitioners before us. Since, Nityananda Bandyopadhyay expired during the pendency of the proceedings and the

heirs and legal representatives of late Nityananda Bandyopadhyay were already before the Hon'ble Supreme Court, they are required to be incorporated in the Record of Rights.

7. In our view, interest of justice will be subserved by permitting the heirs and legal representatives of late Nityananda Bandyopadhyay to apply before the concerned BL& LRO for correction of Record of Rights consequent upon the death of late Nityananda Bandyopadhyay. In the event, such application is made, no doubt, concerned BL & BLRO will consider the same in accordance with law.
8. WPCRC/160/2025 is, accordingly, disposed of.

(Debangsu Basak, J.)

(Md. Shabbar Rashidi, J.)