

15
13.05.2025
S.D.
Ct. No. 26

W.P.L.R.T. 61 of 2025

**Sri Sri Raj Rajeswar Jew & Ors.
Vs.
The State of West Bengal & Ors.**

Mr. Mrinal Kanti Ghosh
Mr. Jayanta Dey
...For the Petitioners
Mr. Sk. Md. Galib, Sr. Govt. Adv.,
Mr. Priyamvada Singh
...For the State

Writ petition is directed against an order dated January 14, 2025 passed in M.A. 593 of 2020 in which the complaint was made in violation of the order dated September 1, 2021 passed in O.A. No. 1278 of 2016.

By the order dated September 1, 2021 passed in O.A. No. 1278 of 2016, learned Tribunal required the concerned Block Land & Land Reforms Officer to consider and dispose of fresh representation made by the petitioners herein.

The order dated September 1, 2021 remains uncomplied with.

It is contended on behalf of the alleged contemnors that the petitioners are not cooperating for an early disposal of the representation.

Such contention of the alleged contemnor is disputed.

Court is informed that the date for hearing was fixed before the concerned B.L. & L. R.O was on January 20, 2025. The concerned B.L. & L. R. O did not fix any further date.

It would be appropriate to direct the concerned B.L.& L.R.O. to dispose of the representation filed by the petitioners in terms of the order dated September 1, 2021 in O.A. No. 1278 of 2016 (LRTT) within four months from date.

The Tribunal in our view must ensure that its orders are complied with by the appropriate authorities. In the facts of the present case, order dated September 1, 2021 passed by it remains uncomplied with till date.

Learned Tribunal by the impugned order found that the petitioners were allegedly not submitting specific documents before the concerned B.L. & L.R.O. to dispose of the proceedings and, therefore, did not find the concerned B.L. & L.R.O. to be acting in contempt with its order.

With respect in the event a person does not cooperate with the concerned B.L. & L.R.O., it does not

prevent such B.L. & L.R.O. from disposing of the representation on the basis of the materials placed before it.

In the facts of the present case, in the event, the petitioners fail to produce such documents as the concerned B.L. & L.R.O. considers relevant, then the concerned B.L. & L.R.O. will decide the issue on the basis of the materials available to it.

In such circumstances, we set aside the order passed by the learned Tribunal in dismissing the M.A. No. 593 of 2020. M.A. 593 of 2020 is restored to its original file and number. Time to comply with the order dated September 1, 2021 passed in O.A. 1278 of 2016 is extended for four months as noted above.

Compliance of the order be filed before the learned Tribunal.

W.P.L.R.T. 61 of 2025 is disposed of accordingly.

(Debangsu Basak, J.)

(Md. Shabbar Rashidi, J.)