

06.03.2025
(D/L-8)
Ct. No.4
(B.K.N.)

W.P.C.T. 129 of 2023

**Surajit Bhunia
Vs.
The Union of India & Ors.**

Mr. Manish Kumar Das
...for the Petitioner

Mr. Sauvik Nandy, Sr. Adv.,
Mr. Subrata Santra
...for the Union of India

1. Affidavit of reply filed by the petitioner is taken on record.
2. The petitioner's claim for benefit of employment as a land looser was directed to be considered by the Tribunal under its order passed on the earlier Original Application filed by the petitioner bearing O.A. No. 548 of 2022 by its order dated 28th April, 2022. The respondents were not complying with the direction of the Tribunal and consideration was not accorded to the petitioner which compelled him to invoke the jurisdiction of contempt before the Central Administrative Tribunal, Kolkata Bench. The petitioner thus filed C.P.C. No. 117 of 2022 which was considered by the Tribunal and the contempt proceedings dropped. Since the order of the Tribunal passed on the petitioner's Original Application bearing O.A. No. 548 of 2022 was not complied by according any consideration, yet the

petitioner's contempt application was dropped by the Tribunal by its order dated 9th May, 2023 the present writ petition was filed. In the present proceedings the respondents have placed on record rejection of the petitioner's claim.

3. The learned counsel for the petitioner submits that the rejection of the petitioner's claim is unsustainable in view of the advertisement under which the land acquisition was made holding out particular representation to the persons who are losing their lands. According to the scheme the land loser family, as defined in the advertisement were to be considered a beneficiary unit for the purposes of grant of benefit of a job. The whole premise has now been changed by the authorities and it is now contended in the rejection order that only one person against a plot of land acquired can be considered. The same is thus unsustainable.
4. We find that the present proceedings arises out rejection of the petitioner's application for contempt before the Tribunal the scope and jurisdiction of contempt is well settled by now. In view of the fact that the Tribunal's order passed in O.A. No. 548 of 2022 has been complied by issuing the order of rejection, without expressing any opinion on the merits of the same. We leave it to the petitioner to

avail his remedies to assail the order of rejection in accordance with law.

5. The writ petition is accordingly disposed of.

(Madhuresh Prasad, J.)

(Supratim Bhattacharya, J.)