

12th June, 2025
(D/L No.23)
Ct. No.4
(SKB)

W.P.C.T.266 of 2024

Sumit Mondal
Versus
Union of India and others

Mr. Manish Kr. Das
....for the petitioner.

Mr. Ajit Kumar Mishra,
Mr. Aritra Shankar Ray
...for the U.O.I.

1. Heard learned counsel for the petitioner and the learned counsel for the respondents/Union of India.
2. The prayer of the petitioner/applicant for job under the land looser policy was not being considered. He approached the Central Administrative Tribunal, Kolkata Bench by filing O.A.1554 of 2022. In the OA, the Tribunal gave a direction for considering his case expeditiously and not later than 16 weeks from the date of receipt of the copy of the order passed by the Tribunal. The date of the Tribunal's order is 23.12.2022.
3. When his case was not been considered, he has approached the Tribunal again by filing a contempt petition. The same was numbered as CP No.192 of 2023. In the contempt proceedings,

compliance report was filed by the respondents. Placing on record, the process of consideration of the land loser on compassionate appointment. It is the specific stand of the respondents before the Tribunal in the contempt proceedings recorded in the order dated 26.07.2024 passed in the CP No.192 of 2023 that the process of consideration of the land loser for compassionate appointment is under way and the applicant/present petitioner has been informed that he may submit his original copy of job application, since the same was misplaced in the department.

4. The Tribunal recording such stand has deemed appropriate that at this stage when the respondents are claiming that consideration is underway, there was no occasion to proceed against them for willful and deliberate non-compliance of the court's order in contempt jurisdiction.
5. Leaving such recourse available to the petitioner, in the event, they did not proceed in terms of the order passed in OA No. 1554 of 2022, the contempt petition was dismissed.
6. The learned counsel for the petitioner submits that the petitioner in response to the communication of the respondent authorities has submitted his original job application form on

28.06.2024. Immediately thereafter they have filed the present writ petition in August, 2024.

7. In view of the facts and circumstances recorded above, we do not find any justification in approaching this court within two months after submission of the application in the process of consideration of the petitioner's claim as per communication received from the respondents. The Tribunal has left it open for the petitioner to proceed in contempt jurisdiction before the Tribunal and, therefore, we find no reason to exercise jurisdiction under extra-ordinary discretionary writ jurisdiction in the present facts and circumstances.
8. Since the petitioner has given his application, if the same is not considered, or if the respondents are not complying the order passed in the OA, it is open to the petitioner to approach the Tribunal in contempt jurisdiction in terms of the liberty granted in the order dated 26.07.2024 passed in the CP No.192 of 2023.
9. The writ petition stands disposed of in these terms.

(Madhuresh Prasad, J.)

(Supratim Bhattacharya, J.)