CPAN 1771 of 2024
In
WPA 26526 of 2024

2.1.2025

Sk Kader Ali & Ors.
-Vs-
Goutm Sardar Block Land & Land Reforms Officer Panskura

ct.25, 4
sk

Mr. Dibyendu Chatterjee
Mr. Rahyl Deb Goenka
Mr. Mainak Singha Barma
Mr. A.Chakraborty
...for the petitioners.

Mr. Somnath Ganguli, Ld. AGP
Mr. S. Paul
...for the State.

This is a contempt application filed by the petitioners alleging willful and deliberate violation by the alleged contemnor, of this Court's order dated October 30, 2024.

Allegedly, in spite of there being an order of this Court, directing the alleged contemnor not to act upon the notices which contemplates inspection at concerned premises and the said order of the Court being duly communicated to the office of the alleged contemnor on November 5, 2024, further notices being dated September 12, 2024 were issued for the self-same reason which violates the order of the Court, as above.

Therefore, the petitioners have alleged about willful and deliberate violation by the alleged contemnor of this Court's order dated October 30, 2024.

Mr. Ganguli, learned AGP appears for the alleged contemnor. He has submitted that the copy of order received in the office of the alleged contemnor on November 5, 2024 was ultimately forwarded to the Revenue Inspector on November 12, 2024. Therefore, there was lack of knowledge on the part of the Revenue Inspector as to the Court's order, which has resulted into issuance of further notices on November 12, 2024. That, so far as the alleged contemnor is concerned, there has not been any willful violation of Court's order by him and also that immediately thereafter necessary orders have been passed postponing inspection to be done on the basis of the notices dated November 12,2024. He has therefore submitted that there has not been any willful and deliberate violation of the Court's order by the alleged contemnor.

Heard submissions and perused the records.

It appears that the Court directed vide order dated October 30, 2024 not to act upon the notices already issued by the alleged contemnor for field enquiry at the concerned premise. The order was communicated to the office of the alleged contemnor on November 5, 2024 whereas the same was forwarded to the Revenue Inspector on November 14, 2024.

However, before the Revenue Inspector has been communicated with the order of the Court dated October 30, 2024, he has issued similar notices dated November 12, 2024, for further action in this regard by inspecting the premise. According to the alleged contemnor, the field enquiry is only to ascertain possession of the parties as regards the concerned premise.

Be that as it may, it is further noted that immediately after communication of the order dated October 30, 2024, the Revenue Inspector has withheld further action on the basis of the notices so issued, by issuing necessary orders.

Accordingly, the Court is of considered opinion that there is no material available in this case to come to a finding regarding willful and deliberate violation of the Court's order dated October 30, 2024, by the alleged contemnor, as alleged.

Hence, this Court finds no merit in the present contempt application.

For the reasons as discussed above, the Contempt application being CPAN 1771 of 2024 is dropped.

(Rai Chattopadhyay, J.)