

**IN THE HIGH COURT AT CALCUTTA
SPECIAL CIVIL JURISDICTION
APPELLATE SIDE
CONTEMPT**

23 28.3.2025
Sc Ct. no.2

**CPAN 1790 OF 2024
in
WPA 3096 OF 2024**

Asmat Gazi

Vs.

Deb Das Mondal,
Block Land and Land Reforms Officer,
Jaynagar, District – South 24-Parganas

Mr. Bapin Baidya
.....For the Applicant/
Petitioner

Mr. Ayan Banerjee
Mr. Debapriya Chatterjee.
..... For the Alleged
Contemnor

Mr. Bapin Baidya, learned Advocate appears for the applicant/petitioner.

Mr. Ayan Banerjee, learned State Counsel appears for the alleged sole contemnor.

Mr. Banerjee, learned State Counsel files a compliance report dated **March 19, 2025**, issued under the seal and signature of the jurisdictional Assistant Director and B.L.&L.R.O., the alleged contemnor, the same is taken on record. Copy has been made over to Mr. Baidya, learned Advocate appearing for the petitioner.

Referring to **Annexure-VII** from the said compliance report Mr. Baidya, learned Advocate for the petitioner submits that, the demarcation has not been made properly and in effect the alleged contemnor did not

provide the necessary assistance to the jurisdictional Assistant Engineer in terms of the direction of this Court dated **August 8, 2024**. He places the relevant part, from the order dated **August 8, 2024** and submits that this Court has observed, in the event the respondent no.4 in the writ petition requests any assistance with regard to the land record, he shall call upon the same from the respondent no.5 therein being the BL&LRO and the respondent no.5 therein shall cooperate and produce the land record before the respondent no.4 therein, the jurisdictional Assistant Engineer, PWD. This part of the direction has not been complied with according to the petitioner as the sketch map is not correctly drawn.

After considering the submissions made on behalf of the petitioner, it appears to this Court that, the correctness or incorrectness of the sketch map cannot be a subject-matter, to be gone into by this Court in its contempt jurisdiction while deciding the charges of contempt leveled by the petitioner in connection with the order dated **August 8, 2024** passed by this Court.

The jurisdiction of a Court in exercising its power in contempt is very limited. The Court will only look at whether there has been any willful and deliberate violation of the direction of this Court and not beyond that. The law is well settled that, if from record it appears that the direction of the Court has been complied with, it is sufficient to purge the alleged contemnor.

The correctness or incorrectness of compliance or the quality of compliance cannot be within the assessment zone of a contempt court. While adjudicating a contempt proceeding the Court always bears in mind that the consequence is grave including imprisonment, therefore, the exercise of contempt power has to be used judiciously.

From perusal of the report, placed by the learned State Counsel and the sketch map, this Court is satisfied that the direction of this court stands complied with. The correctness or incorrectness of the sketch map or its veracity cannot be decided in the contempt proceeding.

Accordingly, this Court is satisfied that there is no willful and deliberate violation of the order passed by this Court.

In view of the above, this contempt proceeding, **CPAN 1790 of 2024** stands ***dropped*** and ***closed***.

Accordingly, **CPAN 1790 of 2024** stands ***disposed of***.

However, if the petitioner is aggrieved with the correctness of the sketch map, he may pursue his remedy in accordance with law, if any.

(Aniruddha Roy, J.)