

05.12.2025
Item Nos.
JPG1
Saswata

**CALCUTTA HIGH COURT
IN THE CIRCUIT BENCH AT JALPAIGURI
WPCRC 5 of 2025
in
WPA 819 of 2024**

**Soumen Chandra Ghosh
Versus
Surendra Gupta & Ors.**

Mr. Mayank Roy
Mr. Prosenjit Sarkar
Mr. Saswata Chatterjee

...For the applicant

Mr. Joyjit Chowdhury, AAG
Ms. Bedashrui Bose

...For the contemnors

1. Complaining non-compliance of the order dated

1st May 2024 the contempt application has been filed. By the aforesaid order this Court on the basis of the submission made by the learned advocate appearing for the State of West Bengal, had been pleased to dispose of the writ petition by directing as follows:-

“5. Ms. Sarkar, learned advocate representing the respondents while confirming the rates as appearing in page 75 of the writ petition submits that the rates for acquisition of the plot nos. 1084, 1094/1592 have already been finalized. The respondents have already taken steps for disbursement of compensation. It is only by reasons of the General Election, 2024, that the compensation could not be disbursed in favour of that the petitioner. She submits compensation shall be disbursed in favour of the petitioner within a period of four months from date.

6. Having regard to the submissions made by Ms. Sarkar, learned advocate

representing the respondents, I am of the view that no useful purpose will be served in keeping the writ petition pending.

7. The writ petition is disposed of by directing the respondents to disburse compensation in favour of the petitioner concerning the plots of land acquired from the petitioner forming subject matter of the writ petition within four months from the date of communication of this order.

8. There shall be no order as to costs.

9. Urgent Photostat certified copy of this order, if applied for, be made available to the parties upon compliance with the necessary formalities.”

- 2.** After the contempt application was moved this Court had issued a rule. The contemnors had since appeared and their personal appearances had been dispensed with for the time being vide order dated 19th September 2025 on consideration that the contemnor nos. 1 and 2 having filed individual affidavits, undertaking that the entire payment (disbursal of compensation) shall be made or not before 30th November 2025 in favour of the petitioner.
- 3.** Today individual affidavits of compliance have been filed by the contemnors which are taken on record.
- 4.** Mr. Chowdhury, learned Additional Advocate General appearing for the alleged contemnors submits that in compliance with the direction passed by this Court, the entire compensation

amount had been disbursed in favour of the petitioner on or before the date stipulated in the order dated 19th September, 2025. In support thereof, a registered deed of conveyance dated 13th November 2025, a debit voucher dated 14th November 2025 and a statement issued by the State Bank of India dated 17th November 2025 to establish the factum of payment of compensation in favour of the petitioner have been enclosed.

- 5.** From the aforesaid, it would transpire that a sum of Rs.39,60,000/- has been transferred to the petitioner's bank account on 15th November 2025.
- 6.** Mr. Roy, learned advocate appears for the petitioner. He would confirm the fact that the compensation amount has already been realized, though quantum thereof, is not adequate.
- 7.** Having heard the learned advocates appearing for the respective parties and noting that the order dated 1st May 2024 has already been substantially complied with, I am of the view that the issue that the petitioner is attempting to raise regarding the quantum of the amount of compensation at this stage cannot be

conveniently adjudicated in the contempt application.

8. Accordingly, the contempt application is disposed of and the rule is discharged, leaving it open to the petitioner to take such steps as may be advised.
9. All parties shall act on the basis of the server copy of this order duly downloaded from this Court's official website.

(Raja Basu Chowdhury, J.)