

Form No.J(2)

IN THE HIGH COURT AT CALCUTTA
Constitutional Writ Jurisdiction
Appellate Side

Present : The Hon'ble Mr. Justice Sabyasachi Bhattacharyya
&
The Hon'ble Mr. Justice Supratim Bhattacharya

WPLRT No. 4 of 2026

Jogesh Chandra Saha
-VS-
The State of West Bengal and others

For the petitioner : Mr. Debasis Sur,
Mr. Dilip Kumar Das,
Mr. Aritra Chowdhury.

For the State : Mr. Swapan Banerjee,
Mr. Diptendu Narayan Banerjee.

Heard on : February 11, 2026.

Judgment on : February 11, 2026.

Sabyasachi Bhattacharyya, J.:

1. The affidavit-of-service filed in Court today be kept on record.
2. Heard learned counsel for the parties.
3. The limited grievance of the writ petitioner is that despite an order dated February 18, 2025 passed by the West Bengal

Land Reforms and Tenancy Tribunal in OA No. 3621 of 2024, directing the alleged contemnor, that is, the concerned Block Land & Land Reforms Officer (BL & LRO), Raiganj, District-Uttar Dinajpur, to dispose of Miscellaneous Case No. 03/Misc./Rai-BL/2024, as expeditiously as possible, after extending an opportunity of hearing to all interested persons including opposite parties disclosed in the notice, subject to his suitability, convenience and authority available to him vested under the law, preferably before the end of July, 2025, if not already disposed of, the BL & LRO failed to dispose of the proceeding within the stipulated time.

4. Subsequently, a compliance report was filed before the Tribunal, from which it apparently transpired that the aforesaid proceeding was disposed of by the concerned BL & LRO, although beyond the outer limit of July-end, 2025.
5. Learned counsel for the petitioner, before this Court as well as the Tribunal, complains that due process of law was not followed by the BL & LRO by giving notice of hearing to the petitioner while disposing of the said miscellaneous case.
6. In the impugned order, the learned Tribunal observed that illegality, if there be any, in disposal of the proceeding may be

raised by preferring an appeal before the appellate authority against the order disposing of the said miscellaneous case.

7. However, the learned Tribunal went on to hold that the delay occasioned in complying with the order of the Tribunal was condoned, simultaneously observing that the alleged contemnor is to remain always vigilant to ensure compliance of the order passed by the Tribunal or any superior authority and recurrence of such episode would surely invite adequate action, permissible under the law, against the alleged contemnor in an appropriate case for the prevalent circumstances. Accordingly, the contempt proceeding was dropped.
8. Learned counsel for the petitioner alleges that the irregularities in the disposal of the miscellaneous case in terms of the direction of the Tribunal were not taken note of by the Tribunal, although such irregularities were pointed out in the exception to the compliance report filed by the writ petitioner before the Tribunal.
9. However, on a perusal of the impugned order, we do not find any illegality or jurisdictional error therein. The Tribunal, rightly, observed that if the petitioner was aggrieved by any irregularity

in the process by which the order of the BL & LRO was passed, it would be open to the petitioner to approach before the appellate authority under the appropriate provision of law.

10. However, insofar as the contempt application was concerned, the limited charter of the Tribunal was to see whether its order had been complied with or not. Since the order had been complied with substantially by disposing of the concerned miscellaneous case, although beyond the stipulated time, the Tribunal condoned such delay, at the same time issuing an warning to the alleged contemnor regarding the action to be taken in case of future recurrence of such delay. Thus, the Tribunal acted well within its jurisdiction in dropping the contempt application.

11. Moreover, it is well-settled that although an appeal lies against an order of the court whereby penalty is imposed in connection with a contempt proceeding, no appeal lies from an order dismissing a contempt application.

12. Following the said principle, we find that no legal right of the petitioner was infringed by the impugned order.

13. Accordingly, WPLRT No. 4 of 2026 is dismissed on contest, thereby affirming the order dated December 22, 2025 passed

by the First Bench, West Bengal Land Reforms and Tenancy Tribunal in MA 1124 of 2025 [in connection with OA No. 3621 of 2024 (LRTT)].

14. It is made clear that the leave given by the learned Tribunal to the writ petitioner to challenge the substantive order of the BL & LRO before the appropriate appellate authority (subject, of course, to limitation) is reiterated by this Court as well.
15. There will be no order as to costs.
16. Urgent photostat certified copies of the order, if applied for, be supplied to the parties at an early date.

I agree.

(Sabyasachi Bhattacharyya, J.)

(Supratim Bhattacharya, J.)