

January 30, 2026
Sl. No.2
Court No.1
s.biswas

CPAN 590 of 2025
In
WPA(P) 304 of 2024

Smt. Tutul Pal

vs.

Dr. (Mrs.) P. Deepap Priya and others

Mr. Lakshminath Bhattacharya
Mr. Sudipta Mondal
Mr. Subhankar Bose

... for the applicant

Mr. Jahar Lal De
Mr. Supratim Dhar, Sr. Adv.

... for the alleged contemnors

Per, Sujoy Paul, C.J.

1. Mr. Lakshminath Bhattacharya, learned counsel for the applicant and Mr. Jahar Lal De, learned counsel for the alleged contemnors are present.
2. With the consent, the matter is finally heard. This contempt application arises out of the order passed by this court in WPA(P) 304 of 2024 dated 29.08.2024. Learned counsel for the petitioner submits that the said order has not been complied with in its true spirit.
3. Mr. De, learned counsel for the alleged contemnors placed reliance on the report submitted by District Magistrate, Howrah and urged that the report of concerned BL&LRO, Sankrail, Howrah dated 26.09.2024 (Annexure 'C') shows that as per records, the three plots in question are "*raiyati*" land. The direction was to take action in case any encroachment is found in vested land. In any case, Mr. De submits that

said BL&LRO has sent the report to the concerned panchayat and it is now for the said panchayat to take appropriate action.

4. Learned counsel for the petitioner prays for time to file exception.
5. In our opinion, the contempt jurisdiction is limited. We cannot go beyond or behind the order date 29.08.2024 passed in WPA(P) 304 of 2024. It could not be established that despite finding, upon inspection, that land is vested land, the contemnors are sitting tight over the matter. If the petitioner is aggrieved by finding that the said land is *raiyati* land or the action of the department is erroneous, the remedy is elsewhere. Since this court has not given any opinion on merits in relation to the inspection which was carried out subsequently, in contempt jurisdiction we cannot enter into the merits of the case. Thus, contempt petition is disposed of by reserving liberty to the petitioner to file appropriate proceedings, if he is still aggrieved by action/inaction of respondents.

(Sujoy Paul, C.J.)

(Hiranmay Bhattacharyya, J.)