

Court No. 38
27.02.2026
(Item No. 12)
(AB)

IN THE HIGH COURT AT CALCUTTA
Constitutional Writ Jurisdiction
Appellate Side

C.P.A.N. 1021 of 2025
in
W.P.A. 3553 of 2025

Safiuddin Sardar & Ors.
VS
Mr. Atanu Chowdhury,
The Assistant Engineer, P.W. (Roads), Directorate,
South Bishnupur, Bankura & Anr.

Mr. Md. Zeeshanuz Zaman
.... For the petitioners
Mr. Chandi Charan De, Ld. Addl. Govt. Adv.
Ms. Reshma Chatterjee
.... For the alleged contemnors

This is a contempt proceeding arising from an
order dated **March 25, 2025**.

The relevant portion of the order, alleging
willful violation whereof this contempt proceeding has
been filed, is quoted below:

*“In view of the above, the
jurisdictional Block Land and Land
Reforms Officer (B.L. & L.R.O) upon prior
notice to the petitioners and the private
respondents shall cause a physical
inspection of the alleged encroachment
and construction and shall submit his
report before the petitioners, private
respondents and the jurisdictional
Assistant Engineer, PWD.*

*This exercise shall be carried out
and completed by the jurisdictional B.L. &
L.R.O. positively within a period of **four**
weeks from the date of communication of
this order.*

*In the event such report confirms
the alleged encroachment and construction
on the PWD land then the jurisdictional*

*Assistant Engineer, PWD after issuing a prior hearing notice of at least **seven days** to the petitioners and the private respondents and after giving them an opportunity of hearing shall decide the said representation dated **December 24, 2024** as referred to above by passing a reasoned order in accordance with law.*

*The entire exercise shall be carried out and completed by the jurisdictional Assistant Engineer, PWD positively within a period of **six weeks** from the date of receiving report from the jurisdictional B.L. & L.R.O. The reasoned order shall be communicated to the petitioners and the private respondents positively within a period of **two weeks** from the date of the said reasoned order to be passed.”*

Pursuant to the direction of this Court, the alleged contemnor no. 2 has filed a compliance report by way of an affidavit affirmed on September 16, 2025. The relevant portion from the said affidavit compliance is quoted below:

“8. From the field enquiry report, it appears that there is no encroachment over PWD Road. Assistant Engineer, Joynagar Sub-Division, PWD made a communication informing the status vide his Memo No. 477 dated 09.06.2025 to The Sub-Divisional Officer, Baruipur Sub-Division with a copy to BL&LRO, joynagar 1.

Copy enclosed and marked as R/4.”

Since the finding of the BL & LRO is that, there has been no encroachment on PWD land, no further steps is required to be taken in furtherance of the direction of this Court dated **March 25, 2025**.

The correctness, veracity or worthiness of the decisions of the BL & LRO cannot be adjudicated in the contempt jurisdiction. The Court while exercising its power in contempt jurisdiction will only look at whether there is a willful and deliberate disobedience and violation of direction of this Court. The record shows that there has been no violation of direction of this Court.

In view of the above, the contempt proceeding being **CPAN 1021 of 2025** stands **dropped** and **closed**.

However, if the petitioners are aggrieved with the correctness or worthiness of the finding of the BL & LRO, it shall be open for the petitioners to take appropriate steps in accordance with law, if so advised.

The application being **CPAN 1021 of 2025** stands **disposed of**.

(Aniruddha Roy, J.)