

06.03.2026
Item No. 55
Court No.08.
S. De
266045

C.P.A.N. 1334 of 2024
in
FMA 285 of 2021
Pulin Halder & Ors.
Vs
Subhabrata Mondal & Anr.

Mr. Tapash Kr. Bhattacharyya,
Mr. Aviroop Bhattacharyya,
Ms. Suprova Sarkar,
...for the applicants/petitioners.

Mr. Tanoy chakraborty, ...for the State.

Dictated by Arijit Banerjee, J.

1. This contempt application was filed alleging willful violation of a judgment and order dated December 22, 2023, whereby FMA 285 of 2021 and MAT 137 of 2020 were disposed of. The operative portion of the said judgment and order reads as follows :

“In view of the aforesaid, the present appeals are allowed. We direct the First Land Acquisition Collector/the Competent Authority to initiate proceedings for acquiring the land of the appellants under the provisions of the 2013 Act and complete such proceedings within 16 weeks from date and pay the compensation amount to the appellants within 4 weeks thereafter.”

2. Initially, an affidavit-in-opposition was filed by the alleged contemnors. The same did not portray the complete picture. We were dissatisfied with the affidavit. We granted leave to the alleged contemnors to file a further report in the form of affidavit. Such report was filed. The petitioners filed their exception to the said report also.
3. Today, we have heard learned counsel for the parties. Learned advocate for the alleged contemnors has taken us through the report in the form of affidavit and the annexures thereto. It appears that the order, violation of which is alleged in this contempt application, has been complied with by the alleged contemnors. Various amounts have been paid to the petitioners after apportionment in accordance with their respective shares. Only one writ petitioner could not be paid as he did not come forward to receive the payment.
4. Learned counsel for the petitioners says that the amount of land in respect of which compensation has been paid is much less than the quantum of land actually acquired. This is a dispute which we are not able to entertain in this contempt proceeding. It will be open to the petitioners to agitate this point by way of

appropriate proceedings, in accordance with law,
before the appropriate forum.

5. We do not find any willful violation of the
aforesaid judgment and order on the part of the
alleged contemnors.

6. The contempt application being CPAN 1334 of
2024, therefore, stands disposed of.

(Apurba Sinha Ray, J.)

(Arijit Banerjee, J.)