

Form No.J(2)

IN THE HIGH COURT AT CALCUTTA
Civil Appellate Jurisdiction
Appellate Side

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

WPLRT No. 229 of 2025

Asraf Ali Mondal
Vs.
The State of West Bengal and Ors.

For the petitioner	:	Mr. Mrityunjoy Goswami, Mr. Mrinmoy Bhattacharyya, Mr. Ritaban Sarkar, Adv.
For the State	:	Mr. Lalit Mohan Mahata, Ld. AGP, Mrs. Ashima Das (Sil), Adv.
Judgment on	:	January 19, 2026.

Sabyasachi Bhattacharyya, J.:

1. Heard learned counsel for the parties.
2. Learned counsel for the petitioner contends that the West Bengal Land Reforms and Tenancy Tribunal, by an order dated May 4, 2022 passed in OA No. 492 of 2018 (LRTT),

directed the B.L. & L.R.O., Santipur to comply with the order of the appellate authority in Appeal Case No. 44 of 2001 immediately, preferably within one month from the date of receiving the said order. Simultaneously, in the same order, going beyond its authority, the Tribunal also granted liberty to the State to file an appeal against the order of the appellate authority in Appeal Case No. 44 of 2001, if so advised. Subsequently, such an appeal has been preferred by the State, however, allegedly in the name of a dead person.

3. In the meantime, due to non-compliance of the order of the Tribunal dated May 4, 2022, a contempt application bearing MA 780 of 2022 has been taken out by the present petitioner.
4. By the impugned order dated November 11, 2025, the contempt application was adjourned till February 23, 2026 in view of the pendency of the said appeal. It is submitted that the Tribunal ought not to have so adjourned the contempt proceeding, citing the pendency of an appeal which has been preferred in the name of a dead person.
5. Heard learned counsel for the petitioner as well as the State.
6. The affidavit-of-service filed today be kept on record.

7. Upon perusal of the impugned order, we do not find any illegality or irregularity whatsoever in the learned Tribunal having adjourned the contempt application in view of the pendency of an appeal against the very order which was directed to be complied with by the parent order of the Tribunal.
8. The petitioner's objection as to the maintainability of the appeal against the order passed in Appeal Case No. 44 of 2001 can only be taken before the appropriate forum, that is, the appellate authority taking up such appeal.
9. Inasmuch as the impugned order is concerned, there was no scope for the Tribunal, sitting in contempt jurisdiction, to decide on the maintainability or infirmity of an appeal against the order which was the basis of the parent order from which the contempt arose.
10. Accordingly, there is no scope of interference in the writ petition.
11. Hence, WPLRT No. 229 of 2025 is dismissed on contest, thereby affirming the impugned order dated November 11, 2025 passed by the Fourth Bench, West Bengal Land Reforms

and Tenancy Tribunal, in MA 780 of 2022 arising out of OA 492 of 2018 (LRTT), without any order as to costs.

12. However, it is made clear that nothing in this order or the order impugned herein shall prevent the petitioner from raising the question of maintainability of the appeal, allegedly preferred in the name of a dead person, before the forum taking up such appeal.
13. The parties as well as the Tribunal shall act on the server copy of this order, duly downloaded from the official website of this court.

I agree.

(Sabyasachi Bhattacharyya, J.)

(Supratim Bhattacharya, J.)

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19.01.2026
(SSS)