



2023:CHC-AS:16720

724 18.01.2024
NB Ct. 14

CPAN 959 of 2023

In
WPA 13581 of 2012

Shivam Industrial Parks & Estate Ltd. & Anr.
Vs.

Smt. Smaraki Mahapatra, IAS, The
Secretary, Land & Land Reforms & Refuge
Relief & Rehabilitation Deptt. Govt. of W.B & Ors.

Mr. Rahul Karmakar,
Mr. Sounak Mukherjee.
...for the applicants.

Learned counsel appearing on behalf of the applicants submits as follows. By an order dated 31.03.2023 passed in WPA 13581(W) of 2012, this Court, inter alia, directed the alleged contemnors to communicate to the petitioner/company the cost of acquisition of the land measuring 1.5 acres, within a month from the date of communication of the order. Since there was an error in mentioning of the case number of a Special Leave Petition in the said order, the same was mentioned and was corrected by an order dated 24.04.2023. Both the orders were duly communicated to the respondents on 02.05.2023, which were received by the respondents on 8th May, 2023. The petitioner/company thereafter was to make payment of such sum, within two months from the date of communication and consequently, the respondent authorities were to deliver vacant and peaceful possession of land measuring 1.5 acres to the petitioner/company. In spite of this, the respondent authorities did not intimate the cost of acquisition to the petitioner. As a



result, the same could not be paid. This is a deliberate and gross violation of the orders passed by this Court. The respondents did not prefer any appeal against the order passed by this Court.

It appears that there is a purported violation of the order passed by this Court.

Let a notice of contempt be issued upon the alleged contemnors and the same be served along with a copy of the contempt application, within a week from this date.

The matter is made returnable on 22nd February, 2024.

The pendency of this application shall not preclude the alleged contemnors from complying with the order passed by this Court.

Urgent photostat certified copy of this order may be supplied to the parties expeditiously, if applied for.

(Jay Sengupta, J.)