

04.12.2023
Item No.02
Court No.6.
S. De

C.P.A.N. 1307 of 2022
In
F.M.A. 63 of 2022
with
I.A. No. CAN/1/2022

Dipak Biswas.
Vs
Dibyandu Goswami.

In re : C.P.A.N. 1307 of 2022

This contempt application has been taken out alleging willful violation of a judgment and order dated June 8, 2022, whereby FMA 63 of 2022 was disposed of by us. The operative portion of the said order reads as follows :

“We direct the L.A. Collector, Nadia, being the respondent no.2 to consider and take a reasoned decision on the writ petitioner’s representation dated November 8, 2012 (Annexure P-12 to the writ petition), in accordance with law, within a period of eight weeks from the date of receipt of a copy of this order along with a copy of the writ petition, after giving an opportunity of hearing to the writ petitioner/appellant or his authorized representative. The decision so taken by the respondent

no.2 shall be communicated to the writ petitioner within a week from the date of the decision. Needless to say, if the respondent no.2 finds that the claim of the writ petitioner has merits, appropriate orders will be passed by so that the writ petitioner receives applicable compensation at an early date.”

Learned advocate for the petitioner says that pursuant to the said order the alleged contemnor considered the petitioner’s representation and by an order dated September 28, 2022, came to a finding that the petitioner’s land was acquired and he is entitled to receive compensation. However, the alleged contemnor has not taken steps to ensure that the petitioner receives such compensation.

Let a copy of the contempt petition be served on the alleged contemnor and affidavit-of-service be filed on the next day.

List the matter once again on December 18, 2023.

(Arijit Banerjee, J.)

(Subhendu Samanta, J.)