
(2019) 09 CAL CK 0244
In the Calcutta High Court
Case No : WPLRT No. 101 Of 2019

Jagatbandhu Jana

APPELLANT

Vs

State Of West Bengal & Ors

RESPONDENT

Date of Decision : 19-09-2019

Acts Referred:

West Bengal Land Reforms Act, 1955 — Section 14T(3)

Citation : (2019) 09 CAL CK 0244

Hon'ble Judges : Saugata Bhattacharyya, J; Dipankar Datta, J.

Bench : Division Bench

Advocate : Rabindra Nath Datta, Chandi Charan De, Srilekha Bhattacharya

Final Decision : Dismissed

Judgement

1. O.A. 806 of 2014 (LRTT) was disposed of by the 4th Bench of West Bengal Land Reforms and Tenancy Tribunal by an order dated 16th December, 2014. The Block Land & Land Reforms Officer, Egra-II, District-Purba Medinipur (hereafter the 'BL&LRO') was directed to supply to the petitioner the certified copy of the order passed in Misc. Case No. 32 of 1997 under Section 14T(3) of the West Bengal Land Reforms Act, if not already supplied, in terms of the applications appearing at pages 17 and 18 of the original application within a period of three months from date of communication of such order. It was also observed that if Misc. Case No. 32 of 1997 had not been disposed of, the BL&LRO shall conclude and dispose of the same within a period of four months and supply certified copy of his order within one month thereof.

2. Alleging contempt of the order dated 16th December, 2014, the petitioner filed M.A. 102 of 2016. A compliance report was called for by the 4th Bench of the tribunal. On 15th February, 2019, the 4th Bench perused the compliance report and recorded that the order dated 16th December, 2014 had been substantially complied with and accordingly dropped the contempt application. The order dated 15th February, 2019 is the subject matter of challenge in this writ petition at the instance of the original applicant.

3. Mr. Datta, learned advocate appearing for the petitioner contends that an impression was sought to be created by the alleged contemnor/respondent that Misc. Case No. 32 of 1997 had been disposed of on 27th March, 1997; however, the order dated 27th March, 1997 had been quashed by a learned Judge of this Court while disposing of W.P. 8175 (W) of 1997.

4. We have looked into the compliance report as well as the said writ petition referred to by Mr. Datta. It appears therefrom that notices in connection with P.T. Case Nos. 27 of 1997 and 28 of 1997 were the subject matters of challenge at the instance of one Uma Kanta Jana (since deceased).

5. On 16th May, 1997, W. P. 8175 (W) of 1997 was disposed of by S. B. Sinha, J. (as His Lordship then was) by directing the concerned respondent to consider and dispose of the proceeding in question in terms of the decision reported in 1996 W.B.L.R. 242 (Paschim Banga Bhumiijibi Krishak Samity & Ors. Vs. State of West Bengal & Ors.) within a period of six weeks from date of communication of this order. The last line of the order records that "The order of vesting is quashed". It is this order that Mr. Datta seeks to rely on to impress us that the order dated 27th March, 1997 has been quashed.

6. We are afraid, we cannot agree with Mr. Datta. Evidently, it notices in connection with P.T. Case Nos. 27 of 1997 and 28 of 1997 were under challenge in W.P. 8175 (W) of 1997. The nexus between the P.T. Cases and the Misc. Case has not been shown to us.

7. In any event, the tribunal having recorded the satisfaction that its order had been complied with, we find no reason to interfere with such satisfaction.

8. The writ petition stands dismissed. There shall, however, be no order as to costs.

9. This order, however, shall not preclude the petitioner to pursue his remedy before the tribunal, in accordance with law if his grievance has not been redressed fully. Urgent photostat certified copy of this order, if applied for, be given to the parties as expeditiously as possible.