

08.07.2026.
Item No. 2.
Court No. 13
ap

CPAN 1299 of 2024
In
W.P.L.R.T. 337 of 2006

**On the death of the sole petitioner Matiar Hossain
Chowdhury, the Mutwalli of Aiho Wakf Estate,
Shahin Chowdhury
Versus
Smt. Debahuti Indra, District Land & Land Reforms
Officer, Malda & Anr.**

Mr. Sumit Kumar Ray,
Mr. Munshi Ashiq Elahi,
Mr. Rohit Mahato.

...For the applicant.

Mr. Surojit Nath Mitra, Ld. Advocate General,
Mr. Piush Chaturvedi,
Mr. Jatinder Singh.

...For the alleged contemnors.

1. Contempt is alleged of the order of a Co-ordinate Bench of this Court dated 12th June, 2006 passed by P.K. Samanta and Tapen Sen, JJ.
2. It is submitted that despite the order of status quo, three Pattas have been issued in respect of the subject land in favour of the private individuals.
3. The disputes essentially centered around the lands of Aiho Waqf Estate that was directed to be vested in the Auqaf Tribunal without permission to retain one unit of the ceiling limit prescribed under the Act.
4. Learned Counsel appearing on behalf of the applicant has not been able to demonstrate as to when the Pattas were issued.

5. It further appears from the records that the land vested in the State way back in 1960 and there is a Receiver over a hat (open market), who was directed to continue to hold on to the same.

6. Since it is not clear as to when the Pattas were issued, this Court is of the view that the contempt application is vague and cannot be entertained.

7. In that view of the matter, CPAN 1299 of 2024 is disposed of reserving liberty, however, to the petitioner to file appropriate application after ascertaining the date on which the Pattas were issued. The maintainability of such application is also reserved open to be agitated by the respondents.

8. Rule, if any, shall also stand discharged.

9. There will be no order as to costs.

10. All parties are directed to act on a server copy of this order duly downloaded from the official website of this Court.

(Rajasekhar Mantha, J.)

(Ananya Bandyopadhyay, J.)