

GAHC010080572022



THE GAUHATI HIGH COURT
(HIGH COURT OF ASSAM, NAGALAND, MIZORAM AND ARUNACHAL PRADESH)

Case No. : Cont.Cas(C)/239/2022

DR. NANI GOPAL GOSWAMI AND ANR
FORMER MEMBER OF ASCPCR, S/O- LT. NARENDRA NATH GOSWAMI, R/O-
HOUSE NO. 2, GHARMARA, SATRAPATH, GEETANAGAR, P.S.- NOONMATI,
GUWAHATI, DIST.- KAMRUP(M), ASSAM. PIN- 781020.

2: RAJESWAR SARMA
FORMER MEMBER OF ASCPCR
S/O- LT. MANIK CHANDRA SARMA
PRESENT R/O- HOUSE NO. 50
B.R. MEDHI ROAD
LATASIL
GUWAHATI
DIST.- KAMRUP(M)
ASSAM
PIN- 781001

VERSUS

MUKESH CHANDRA SAHU, IAS
PRINCIPAL SECRETARY -CUM-COMMISSIONER AND SECRETARY TO THE
GOVT. OF ASSAM, SOCIAL WELFARE DEPARTMENT, ASSAM
SECRETARIAT, JANATA BHAWAN, DISPUR, GUWAHATI DISTRICT-
KAMRUP(METRO), ASSAM, PIN- 781006.

Advocate for the Petitioner : MR. U K NAIR

Advocate for the Respondent :

**BEFORE
HONOURABLE MR. JUSTICE SANJAY KUMAR MEDHI**

ORDER

17.07.2024

Heard Shri MP Sarma, learned counsel for the petitioners. Also heard Shri R Dhar, learned counsel appearing for the sole respondent.

Shri Dhar, learned counsel by referring to the affidavit-in-opposition dated 24.11.2022 has submitted that the order dated 16.03.2020 passed in WP(C)/5168/2014 has been complied with.

Shri Sarma, learned counsel for the petitioner, however, submits that there is a dispute with regard to the amount released.

A Court adjudicating a petition wherein there is complaint of non-compliance is required to be prima facie satisfied as to whether such non-compliance is willful and deliberate.

In the instant case, it is seen that there is substantial compliance with the aforesaid order of this Court and therefore, there is no reason to keep this contempt petition alive.

Accordingly, the contempt petition stands closed, however, giving liberty to the petitioner to make a challenge in an appropriate forum regarding the amount involved.

JUDGE

Comparing Assistant