

28.04.2022
sayandeep
Sl. No. 03
Ct. No. 05

WPCRC 40 of 2019
With
IA NO: CAN 1/2018(Old No. CAN/4028 of 2018)(not in file)
In
WPA 5658 of 2002

Sonali Talukder
-Versus-
Sri Dibyen Mukhopadhyay

Mr. L.K. Gupta
Mr. J. Acharya
Mr. A. Bose
Mr. Diptendu Mondal

..... for the petitioner

Mr. Avishek Prasad

..... for the alleged contemnor

Learned counsel appearing for the State seeks time on the ground that the application for condonation of delay is required to be listed. The contempt relates to an order passed by a learned Judge on 14.07.2010, as His Lordship then was. The review was filed by the alleged contemnor in 2021. The records show that this Court has passed several orders since 14.06.2019 and adjourned the matter at least eleven times either on the request or in the absence of the alleged contemnor. It is also inconceivable as to why an application for condonation of delay would be filed 20 days after an order permitting for the same.

Whatever be the merits of the review application or the contempt petition, the State has a duty to ensure that the review application is heard out and decided since that has been the consistent prayer of the State

from the very beginning. It is obvious that the alleged contemnor is trying to stall the hearing of the contempt petition and is taking advantage of the benevolence shown by the Court in the last several occasions.

This is hence a fit case for imposing costs on the alleged contemnor. The alleged contemnor shall hence be liable for costs which are reasonably assessed at Rs. 20,000/- to be paid to the petitioner within a fortnight from date.

List this matter after a fortnight as prayed for on behalf of the State.

List the review, contempt and the condonation of delay applications on the next returnable date.

(Moushumi Bhattacharya, J.)