

22.01.2021  
Ct. No.9  
S/L No.1  
KS

**(Assigned)**  
**IA No. CAN 2/2019 (CAN 4330 of 2019)**  
**In**  
**CPAN 219 of 2016**  
**With**  
**W.P.C.T. No.41 of 2010**  
**Sri Debashis Kumar Roy**  
**-Vs.-**  
**Smt. Jaya Verma Sinha & Ors.**  
**(Via Video Conference)**

Mr. Kamalesh Bhattacharya  
Mr. Goutam Dey  
.....For the Petitioner

This is an application for recalling of the solemn order/judgment dated 8<sup>th</sup> June, 2016 passed by the Division Bench of this Hon'ble Court in which one of us was a member of the bench. The judgment passed in connection with W.P.C.T. No.41 of 2010, was alleged to have been violated willfully by the contemnor/railway authority and so C.P.A.N. No.219 of 2016 was taken out by the petitioner alleging willfully motivated and deliberate non-compliance of the order/judgment dated 14.10.2015 passed by the Division bench of this Hon'ble Court. In response to the notice, the contemnor had appeared and submitted that the order/judgment has been complied in its letter and spirit and an order was passed on 8<sup>th</sup>

June, 2016 when Mr. Malay Kumar Das, along with Mr. Anirban Dutta, learned counsels appeared on behalf of the contemnors and submitted compliance of the judgment dated October 14, 2015 by fixation of inter se seniority in its letter and spirit by the contemnor/authority.

Let a notice alongwith a copy of this application together with the annexures be served upon the contemnor-respondents nos.1, 2 and 3 within a period of two weeks from the date hereof by speed post with acknowledgement due and with further direction to file affidavit of service on the returnable date.

Let the matter appear two weeks hence under the same heading.

**(Rajarshi Bharadwaj, J.)**

**(Shivakant Prasad, J.)**