

09. 09. 2022

BP
ML 23 & 24
Court No. 17

CPAN 799 of 2019
in
WPA 4817 of 2008
CAN 4 of 2017 (Old No.CAN 8767 of 2017)
(file not here)
Aaangurjan Bibi & Anr.
Vs.
Yousuf Ali Mallick & Anr.

Ms. Chaitali Bhattacharya
Mr. Mrinal Kanti Ghosh
..for the alleged contemnors.

The Mandamus Department cannot wash off its hands only by saying that the file is not with them. It is the duty of the Mandamus section to place a file before the court which has not been done in this case. I have warned the Mandamus section several times to see that all files should come here. I am told that the Mandamus section sent a report to my court officer that the file was lying with the court room no.26. I am told by my court officer that requisition was sent to court room no.26 and they intimated my court officer by saying that the file has been sent to Mandamus section. It was told orally. I am told that the file that was sent from court room no.26 to the Mandamus section but it had not been received.

When the litigants are present, the Judge is present and other officers of the court are present and a

huge amount of money is being spent for running this court, it is wholly unacceptable to this court that a matter will not be taken up for not having the file. This court will not be able to say to the litigants to come back on any other day. The citizens of India being the litigants cannot suffer for inaction of a department of this court.

I direct the Registrar General to enquire into the matter by three days from date and to file a report before me on 15th September, 2022.

Re: CPAN 799 of 2019

The petitioner is not present. I have taken a copy of the contempt application from the alleged contemnors. The alleged contemnor no.2 has filed one affidavit in opposition which is kept in a separate file and it will be kept in the record when it will arrive in this court. The copy of the contempt application which I use for hearing the matter, is returned to the learned advocate for the alleged contemnor.

Place this matter on 16th September, 2022 under the same heading.

I request the learned advocate for the alleged contemnor to give an intimation in writing to Mr. Narayan Chandra Bhandary, learned advocate for the

petitioner that this matter would be taken up for further hearing on 16th September, 2022.

(Abhijit Gangopadhyay, J.)