

03.04.2025

sayandeep

Sl. No. 41

Ct. No. 654

CPAN 1206 of 2019
In
WPA 15470(w) of 2015 (main writ not in file)

Lakshikanta Das Adhikari

Vs.

Dipali Maity & anr.

Mr. Subhas Jana

... for the applicant

1. The order of contempt is dated 20th June, 2018.
2. By the said order, the writ petition and pending application therein being WP No. 15470(w) of 2015 and CAN 10323 of 2017 were disposed of directing the petitioner, the applicant herein to make a fresh “representation” to the respondent No. 2/the Pradhan, who would give an opportunity of hearing to the petitioner or to her authorized representative and dispose of the matter not later than a period of six weeks from the date of filing of the fresh representation.
3. The applicant states that in spite of intimation of the order of this Hon’ble Court dated 20th June, 2018 and a representation, by a forwarding letter of July 4, 2018, the applicant had complied with its obligation under the order and was hence entitled to a hearing from the Pradhan. This hearing never took place. This, according to the applicant is the act of contempt on the part of the alleged contemnor. The applicant further states that such communication was made on September 7, 2018 as it appears from the postal receipt annexed to the writ petition.
4. Unfortunately, the applicant has not made any fresh representation, as directed by the aforesaid order of 20th June, 2018. The representation relied on by the applicant is of 25th June, 2015 and clearly is not a “fresh representation” as directed. Without such a fresh representation, the alleged contemnors were under no

obligation to give any hearing and thus cannot be said to be in contempt of order 20th June, 2018.

5. In the circumstances aforesaid, there is no contempt of the order of June 20, 2018 and hence this contempt petition stands dismissed.
6. There shall be no order as to costs.
7. Urgent photostat certified copy of this order, if applied for, be given to the learned Advocates for the parties on the usual undertakings.

(Reetobroto Kumar Mitra, J.)