

13.01.2021
Court No.13
Item no. 1+2
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W.P.C.R.C. No. 1 of 2021
In
WPA 17482 of 2018

Rita Ghosh
-Versus-
Sunil Ghosh & Anr.

Mr. Arun Naskar,
Mr. Girish Chandra Gupta,
Ms. Mousumi Konar

...For the petitioner.

Mr. Soumik Ganguli,
Mr. Ashok Das,
Mr. S. Nandy

...for the alleged contemnor no.1

Mrs. Manjuli Chowdhuri,
Ms. Mekhla Sinha

...For Howrah Zilla Parisad

Mr. Debjit Mukherjee,
Ms. Rupsha Chakraborty

...For the State.

The Chief Engineer, Howrah Zilla Parishad is personally present in Court. It is submitted by him and his learned counsel that the Howrah Zilla Parishad has no control or representation on the Narna Gram Panchayet.

The Chief Engineer, Howrah Zilla Parishad, Mr. Ashit Chakraborty is discharged from the instant contempt application. His personal presence is dispensed with.

The Pradhan of the Narna Gram Panchayet, Mr. Sunil Ghosh is personally present in Court. Admittedly, he has received the order dated November

30, 2018 of this Court in early 2019. There is deliberate and willful dishonest conduct on his part in refusing to comply with the order of this Court.

Learned counsel appearing on behalf of the Pradhan, Narna Gram Panchayet makes a fervent plea that his client's conduct should be excused by this Court.

Non-compliance of a Court's order despite notice for a period of two years is a deliberate and willful contempt. The Pradhan *ex facie* had no intention of compliance with the order of this Court. It can also be inferred that he has refused to comply with the order.

This Court clearly finds contempt committed by the Pradhan, Narna Gram Panchayet.

Learned counsel for the Pradhan seeks a week's time to comply with the order. Mr. Sunil Ghosh, Pradhan, Narna Gram Panchayet shall remain suspended from the post of Pradhan for a period of two weeks. He shall not discharge any function as Pradhan and the Upa Pradhan shall discharge day-to-day functions.

Let this matter stand adjourned for a period of two weeks to ascertain his willingness to comply with the order.

The Pradhan ought to have filed an affidavit in Court today. Absence of such affidavit is an unconditional admission of contempt of Court. The penalty to be imposed for such blatant disregard for

orders of Court and contumacious conduct committed by Mr. Sunil Ghosh, Pradhan shall be dealt with on the adjourned dated.

The State is represented today as directed by the Court on March 16, 2020. Since the Pradhan and Howrah Zilla Parishad are represented in Court, their presence is not needed any further in the proceedings.

List the matter accordingly.

Urgent photostat certified copy of this judgment, if applied for, be given to the parties upon compliance of all formalities.

(*Rajasekhar Mantha, J.*)