

Item No.149

17.03.2021
Ct-24

In The High Court At Calcutta
Special Jurisdiction
(via video conference)

CPAN 1345 of 2019
Mukul Hazra & Ors.

v

Ms. Sharmila Khatua
(Arising out of)
WPA 12229 of 2019

Mr. Gazi Faruque Hossain
Ms. Priyanka Mondal
... for the petitioners.

Mr. Tapan Kumar Mukherjee
Mr. Gobinbda Chandra Baidya
... for the alleged

By order dated July 16, 2019 the Court disposed of the writ petition directing the Additional Labour Commissioner to consider the representation made by the petitioners in accordance with the relevant Rules/Guidelines/Circulars within a stipulated period and communicate the order passed within a fortnight thereafter.

The contempt application was filed by the petitioners on November 27, 2019. During the pendency of the contempt application the contemnor passed an order and annexed the same with the affidavit filed by the contemnor affirmed on February 10, 2021.

In the said order it has been mentioned that the writ petitioners were present at the time of hearing. The petitioners categorically denied their presence at the time of hearing of their representation. In the said affidavit the contemnor has tendered unqualified apology for making such wrong submission. The contemnor has admitted that an opportunity of hearing was not granted to the petitioners prior to passing the order. Apology has also been prayed for complying the order at a delayed date.

As it appears from the order dated February 14, 2020 that the contemnor has complied the order to a substantial extent, accordingly, the instant contempt application is disposed of.

The petitioners will be at liberty to challenge the order passed by the contemnor on February 20, 2020, if so advised.

Urgent photostat certified copy of this order, if applied for, be given to the parties, after completion of all legal formalities.

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(Amrita Sinha, J.)