

**Circuit Bench of Calcutta High Court
at Jalpaiguri**

⁷¹
sm **21.02.
2020**

**C.P.A.N. 3 of 2020
IN
W.P.A. 653 of 2019**

**Mrinal Kanti Chanda
Versus
Subhas Darnal, The Superintendent of Post
Offices & Ors.**

Mr. Debajit Kundu.

.....for the petitioner.

Mr. Kunaljit Bhattacharjee.

.....for the contemnor.

The petitioner alleges violation of the order dated 24th October, 2019 passed by the Vacation Bench restraining the respondent authorities from giving any effect to the impugned order dated 22nd November, 2019.

The learned advocate who appears on behalf of the respondents in the writ petition submits that the petitioner has already been terminated from service. The writ petition is ready for hearing. Affidavit-in-opposition to the writ petition is ready and the learned advocate seeks leave of the Court to file the same.

As it appears that the petitioner is aggrieved by the order of termination and the writ petition challenging the said termination is pending disposal, in my opinion, contempt application is not required to be proceeded with at the present.

Justice will be sub-served if the writ petition is taken up for final hearing.

Accordingly, leave is granted to the respondents to file the affidavit-in-opposition. The petitioner shall be entitled to file a reply within two weeks.

Let the matter appear for hearing before the next available Circuit Bench.

The contempt application being CPAN 3 of 2020 stands disposed of.

(Amrita Sinha, J.)