

S/L 84 &85
26.02.2020
Court. No. 19
GB

CPAN 102 of 2020
In
WPA 1267 of 2018
With
CAN 4 of 2019 (Old No. CAN 907 of 2019)
(Not in file)

Gautami Bhowmick & Ors.

Vs.

Harendra Singh

(Through Video Conference)

Mr. Tapan Kumar Rakshit,
Mr. Surajit Roy.

...for the petitioners/Applicants.

Ms. Mousumi Bhowal.

...for the alleged Contemnor.

A copy of the reasoned order dated November 23, 2020 passed in compliance of the order dated September 18, 2019 in W.P. No.1267 (W) of 2018 has been handed over to this Court.

It is submitted by the petitioners that the said order was passed on a date, which was not intimated to the petitioners and the petitioners could not be present for the hearing.

It is admitted by the learned advocate for the alleged contemnor that the order was passed on a day when neither the petitioners nor the respondent no.4, Smt. Pratima Bose were present.

Thus, the impugned order was passed contrary to the directions of this Court and does not have any legs to stand.

The order impugned is set aside, as the same has not been passed in compliance of the order of this Court. The matter is remanded back to the alleged contemnor for an appropriate decision in terms of the order of this Court which should be a reasoned one and should be passed after hearing all the parties concerned upon prior notice.

The said decision shall be taken within a period of two months from date of communication of this order. It goes without saying that the order shall be communicated to all the respective parties within a week thereafter.

The contempt application is disposed of.

There will be, however, no order as to costs.

Urgent Photostat certified copy of this order, if applied for, be given to the parties on priority basis.

(Shampa Sarkar, J.)