

DL. February
16. 4, 2021

Through Video Conference

W.P.C.R.C. 8 of 2021

Mr. Mukteswar Maity,
...for the petitioner.

Mr. Jaytosh Majumder,
Mr. Tapan Kumar Mukherjee-III,
Ms. Tuli Sinha,
...for the alleged contemnor.

Sri Nitesh Dhali, A.D.M. and D.L.L.R.O. having his office at New Treasury Building, 8th Floor, Alipore, is personally present before us with an affidavit of compliance. The alleged contemnor has tendered his unconditional apology and regrets for delayed consideration of the writ petitioner's prayer for compassionate appointment.

In terms of our earlier order dated January 15, 2021, the alleged contemnor has disposed of the representation of the petitioner by a reasoned order dated January 25, 2021.

The learned counsel for the petitioner submits that there are various infirmities in the order dated January 25, 2021 passed by the alleged contemnor and this cannot be treated as compliance of our order.

We have perused the order passed by the alleged contemnor. In the contempt jurisdiction, we are not required to go into the merits of the order passed by the alleged contemnor.

On such consideration, we dispose of the contempt application by recording compliance of our order dated July 15, 2019 passed in W.P.S.T. 74 of 2019 and leaving it to the writ

petitioner to take appropriate steps in accordance with law, if the writ petitioner is aggrieved by the said order of compliance.

The rule of contempt is, accordingly, discharged.

We are informed that in the main writ petition, an application for recalling of the order passed by the co-ordinate bench on July 15, 2019 being CAN 11518 of 2019 has been filed by one of the legal heirs of the deceased.

In view of the fact that the authority concerned has passed an order rejecting the claim of the writ petitioner, this application has now become infructuous and the same is accordingly dismissed as infructuous.

There will be no order as to costs.

(Soumen Sen, J.)

(Saugata Bhattacharyya, J.)

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