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(Through Video Conference)

CPAN 404 of 2021
in
WPA 9360 of 2016

Sri Tarun Kumar Roy
Vs.
Prof. Jayashri Ray Choudhuri & Ors.

Mr. Subharangshu Panda, Advocate
... ... for the Petitioner

Mr. Kishore Dutta, Advocate General
Mr. Amitava Chaudhuri
Mr. N. Roy, Advocates
... ... for the alleged contemnor nos. 1, 2, & 3

Petitioner complains of the violation of the order dated May 19, 2016.

Learned advocate appearing for the petitioner submits that subsequent to the filing of the contempt petition the Authorities passed an order and communicated the same to the petitioner. Such order of the respondent Authorities cannot be said to be in compliance with the order dated May 19, 2016. He draws attention of the court at length to the order dated May 19, 2016 along with the order dated February 22, 2016 passed in WP 27262 (W) of 2014. He submits that, amongst others, the Authorities did not afford the petitioner any opportunity of hearing. The Authorities did not take into consideration the directions and guidelines contained in the order dated May 19, 2016 as well as the order dated February 22, 2016 passed in WP 27262 (W) of 2014.

The alleged contemnor is represented.

Although the order dated May 19, 2016 requires the Authorities to conduct the matter in a manner as laid down therein, as a court exercising jurisdiction under Article 215 of the Constitution of India and the Contempt of Courts Act, 1971, the court need not go into the arena as sought to be agitated on behalf of the petitioner. In my view, interest of justice will be subserved by keeping such points open. The petitioner is at liberty to assail the order passed by the Authorities, in accordance with law, before the appropriate forum.

The authorities passing an order which may or may not be in compliance of the order. High court cannot be said to be in acting in contempt.

CPAN 404 of 2021 is disposed of accordingly.

(Debangsu Basak, J.)