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**CPAN 508 of 2017
with
IA No. CAN 1/2017 (Old No. CAN 6145/2017)**

**Dr. Sakti Lal Choudhury
Vs.
Sri Sunil Ranjan Sikdar & Anr.
In
WPA 4259 of 2016
With
IA No. CAN 1/2021

Sakti Lal Choudhury
Vs.
The Chairman, Dum Dum Municipality & Ors.**

**Mr. Supradip Roy
Mr. Saptarshi Roy
Ms. Anudipta Sengupta
Mr. Siddhartha Roy
Ms. Kakali Das Chakraborty
...for the petitioner**

**Ms. Mousumi Bhowal
..for the Dum Dum Municipality**

**Mr. Tapan Mukherjee, Ld. AGP
Mr. Shamim Ul Bari
..for the alleged contemnor
(CPAN 508/2017)**

**Mr. Amal Kumar Sen, Ld. AGP
Mr. Lal Mohan Basu
..for the State
(CAN 1/2021)**

Contempt application being CPAN 508/ 2017
was filed by the writ petitioner alleging violation of
the order of a coordinate Bench dated 10th
November, 2016 passed on a writ petition being WP
No. 4259 (W) of 2016. Today, the contempt

application is taken up for hearing, when Mr. Supradip Roy, learned advocate appears on behalf of the writ petitioner and submits that intra court appeal being MAT 553 of 2017 was preferred by the State respondent and the order dated 10th November, 2016 has been set aside by the Hon'ble Division Bench vide order dated 27th November, 2017.

In view of such submission made on behalf of the contempt applicant it appears that the contempt application has become infructuous and as such, the same is dismissed.

CAN 1/2021 is an application whereby the prayer has been made for release of pensionary benefits in terms of two memoranda dated 7th May, 2009 and 19th August, 2009 and it has been submitted by Mr. Roy appearing for the applicant that these two memoranda are not part of the record of the writ petition and the affidavits exchanged by the parties to this writ petition.

Since the prayer made in this application cannot be allowed at this stage keeping the writ petition pending and in view of the fact that the writ petitioner wants to rely upon these two memoranda dated 7th May, 2009 and 19th August, 2009 at the time of hearing of the writ petition, leave is granted to the writ petitioner to file

rejoinder enclosing these two memoranda within a period of one week after Christmas vacation and reply to this rejoinder, if necessary, to be filed by the respondents within one week thereafter.

The application being CAN 1/2021 is disposed of.

List the writ petition for hearing on 1st February, 2022 under the heading “Hearing”.

(Saugata Bhattacharyya, J.)