

IN THE HIGH COURT AT CALCUTTA
Criminal Miscellaneous Jurisdiction
Appellate Side

(Via Video Conference)

CRLCP 10 of 2005

In
CRR 1016 of 2004

Prakash Dubey
Vs.
Manik Chandra Maity

Mr. Amitava Mitra,
Ms. Sayani Bhattacharya
... For the petitioner

In terms of the order dated 1st July, 2021, the advocate for the petitioner had dispatched a notice to the alleged contemnor. The notice has come back with the endorsement "Item Returned DECEASED". The petitioner says that it appears that the alleged contemnor has died. Referring to this postal endorsement, it is submitted on behalf of the petitioner that the contempt proceedings cannot be proceeded any further as the alleged contemnor has died. The petitioner, however, submits that the petitioner is entitled to proceed against the legal heirs of the deceased alleged contemnor so far as his claims are concerned.

The contempt petition is, thus, disposed of without any further orders. Rule stands discharged.

So far as the other reliefs are concerned, since I cannot make any observation while exercising contempt jurisdiction in respect of other claims, the petitioner will be at liberty to agitate this issue as may be advised before the appropriate forum.

(Arindam Mukherjee, J.)