

S/L 1
28.03.2025
Court. No. 551
Suvayan

**CAN 1 of 2022
With
CAN 2 of 2022
In
WPCRC 264 of 2019
With
CAN 3 of 2025
In
WPA 4367 of 2019
(Assigned)**

**Sri Pijush Bandopadhyay
Vs.
Chaitali Karmakar**

Mr. Pijush Bandopadhyay ... the applicant (in-person).

Mr. Sirsanya Bandopadhyay, Sr. Standing Counsel
...for the alleged contemnor.

1. At the very outset it has been brought to the notice of this Court that in the cause title of the order dated 24.03.2025 the year of the instant writ petition has been wrongly typed as '2016' instead of '2019'.
2. In view of such the figure '2016' is deleted and in its place the figure '2019' is inserted.
3. Necessary correction in this regard is made by me in Court today.
4. At this stage it has been brought to the notice by A.C.O. of this Court as well as by the petitioner who appears in-person that in connection with the instant writ petition there is no existence of CAN 1 of 2025.

5. In view of such, the direction upon the department to tag CAN 1 of 2025 with the instant file is hereby recalled.

In Re: CAN 2 of 2022

1. This is an application at the instance of the writ petitioner for condonation of delay of delay of 157 days in filing CAN 1 of 2022 which is an application for recalling the order of dismissal dated 06.08.2021 and for restoration of WPCRC 264 of 2019.
2. On perusal of the order dated 30.06.2022 it reveals that a co-ordinate Bench permitted the then alleged contemnor to file affidavit-in-opposition. Admittedly, no affidavit-in-opposition has been filed.
3. On perusal of the petition under consideration and after hearing the petitioner who appears in-person this Court is satisfied that the present petitioner is successful in explaining the delay of 157 days in filing CAN 1 of 2022.
4. Consequently, CAN 2 of 2022 is hereby allowed.
5. Consequently, the delay in filing CAN 1 of 2022 is hereby condoned.

In Re: CAN 1 of 2022

1. By filing the instant application the petitioner has prayed for recall of the order of dismissal as passed by a co-ordinate Bench on 06.08.2021.
2. On perusal of the petition under consideration and after hearing the petitioner who appears in-person it appears to this Court that the petitioner has given

sufficient reason as to what prevented him to appear on 06.08.2021.

3. Accordingly, the prayer is allowed.
4. The order of dismissal dated 06.08.2021 is hereby recalled.
5. Consequently, WPCRC 264 of 2019 is restored to its original file and number.
6. Accordingly, CAN 1 of 2022 is thus disposed of.

In Re: CAN 3 of 2025

1. This is an application for substitution of the name of the alleged contemnor in connection with WPCRC 264 of 2019.
2. In support of the application under consideration it has been submitted by the petitioner that the erstwhile alleged contemnor, Chaitali Karmakar, the then S.I. of Schools, Chanditala Circle, District – Hooghly, West Bengal is no more in the earth and in its place the present alleged contemnor viz. Kishor Karmakar has taken charge.
3. In view of the devolution of interest the department is directed to delete the name and particulars of Chaitali Karmakar (the then alleged contemnor) from the cause title of WPCRC 264 of 2019 and in its place the name of the present alleged contemnor particulars of which has been given at page no. 4 of the instant application be incorporated.
4. Necessary correction in this regard is to be made by the department forthwith.

5. With the aforementioned observation, CAN 3 of 2025 is disposed of.

In Re: WPCRC 264 of 2019

1. The writ petitioner is directed to serve a notice along with a copy of the contempt application containing the name of the present alleged contemnor upon the alleged contemnor by speed post along with a server copy of this order. On the adjourned day the petitioner is directed to file affidavit-of-service.
2. Let the matter be listed on 11.04.2025 under the heading "Contempt Application".
3. In order to expedite the hearing of the instant contempt petition the petitioner is directed to serve a copy of the instant contempt application incorporating the name of the present alleged contemnor upon Mr. Sirsanya Bandopadhyay, learned Senior Standing Counsel of the Government of West Bengal preferably within three working days from today.

(Partha Sarathi Sen, J.)