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**IN THE HIGH COURT AT CALCUTTA
CONSTITUTIONAL WRIT JURISDICTION
APPELLATE SIDE**

**C.P.A.N. 714 of 2020
in
W.P.A. No.23317 of 2019**

**Md. Jakir Hossain Molla
-vs.-
Dr. P. Ulganathan**

Mr. Tushar Kanti Mukherjee
...for the applicant

Ms. Sonal Sinha,
Mr. Tapash Kumar Mondal
...for the alleged contemnor

Affidavit-of-service as well as affidavit-in-opposition and affidavit-in-reply filed in Court today be kept on record.

Learned counsel for the applicant in the contempt petition submits that, despite the specific direction of this Court dated January 02, 2020 passed in W.P. 23317 (W) of 2019 on respondent no. 2 to dispose of the representation given by the petitioner-applicant dated September 23, 2019 within one month from that date and to intimate the result of such consideration to the present applicant at the earliest thereafter, the respondent no. 2/alleged contemnor failed to comply with the said direction within the stipulated time.

It is further contended that, only after the contempt application was filed, the alleged contemnor passed an order hastily on the representation of the petitioner, which has been annexed to the affidavit-in-opposition.

Learned counsel for the alleged contemnor disputes such allegations.

It appears from the record that, although *prima facie* at a belated stage, the alleged contemnor complied with the direction of this Court subsequent to filing of the contempt application, upon giving appropriate hearing to the petitioner.

As such, there is no necessity to resort to the extreme measure of penalizing the alleged contemnor for contempt of court, which is only a last resort in the event there is deliberate and willful violation of an order of the Court.

Since the direction of this Court was complied with substantially, although late, there is no scope for keeping the contempt application pending.

Accordingly, C.P.A.N. 714 of 2020 is disposed of in the light of the aforesaid observations.

There will be no order as to costs.

(Sabyasachi Bhattacharyya, J.)