

OD 6

ORDER SHEET

CC/132/2001

IN THE HIGH COURT AT CALCUTTA
Special Jurisdiction (Contempt)
ORIGINAL SIDE

KAMALENDU MULLICK
VERSUS
S.SOM, MUNICIPAL COMMISSIONER, C.M.C.

BEFORE:
The Hon'ble JUSTICE ARINDAM MUKHERJEE
Date: 30th June, 2021.

(Via Video Conference)

Appearance
Mr. Alak Kumar Ghosh, Adv.
...for the respondent.

The Court: On a perusal of the contempt application it appears that the petitioner has alleged violation of an order dated 14th September, 2000 passed by a learned Single Judge in W.P. 1767 of 2000 as confirmed by the order dated 23rd November, 2000 passed by a Division Bench in G.A. 1138 of 2000 filed in A.P.O.T. 772 of 2000 arising out of W.P. 1767 of 2000. On a perusal of the order dated 14th September, 2000, it appears that the writ petition was finally disposed of. The appeal was disposed of by the order dated 23rd November, 2000 after a contested hearing. The enforceable order is the order passed by the Division Bench order on 23rd November, 2000 in as much as the order of the Single Bench has merged with the order of the Division Bench. The contempt petition has been admittedly filed after passing of the order dated 23rd November, 2000. The contempt petition is, therefore, not maintainable before a Single Bench. That apart and in any event the petitioner is absent and appears to be disinterested in proceeding with the matter though the same appeared in the list on 29th June, 2001 and was called on twice. Today, the matter is appearing marked as 'Last

Chance' with a note that appropriate orders will be passed if no one appears when the matter is taken up.

No one on behalf of the petitioner has also applied for joining in the virtual mode. The petitioner is not represented when the matter is called on.

The contempt petition is dismissed.

Rule, if any, stands discharged.

(ARINDAM MUKHERJEE, J.)

B.Pal