

S/L 25
16.08.2022
Court. No. 41
*Sourav/
Suwayan*

**CPAN 2 of 2019
In
WPA 24999 of 2016**

**Mahesh Shaw
Vs.
Dipankar Roy & Anr.**

Mr. Subir Hazra

...for the petitioner.

*Mr. Anirban Ray
Ms. Chaitali Bhattacharyya
Mr. Avishek Prasad*

...for the alleged contemnors.

Affidavit-of-service filed in Court be kept with the record.

Counsel for the respective parties are present.

The petitioner has filed the instant contempt application alleging that the alleged contemnors have not complied with the order passed by this Court dated October 28, 2016 in WP No. 24999 (W) of 2016 wherein this Court has passed the following directions:-

“Therefore, dispensing with the Rule 26 of the Writ Rules and upon hearing the learned counsel for the State, this Court directs the District Inspector of Schools (S.E.), Barrackpur to consider the representation of the petitioner dated 22.09.2014 so forwarded to him within six weeks from the date of the order in the light of the settled proposition of law in the case of Piyu Datta Vs. State of West Bengal & Ors., reported in (2012) 3 WBLR (SC) 715.

With the above direction, the writ petition stands disposed of accordingly.”

The alleged contemnors have filed affidavit-of-compliance by enclosing the order dated 26.11.2021 vide Memo No. 2683/LS by disposing of the representation submitted by the petitioner and after considering the case of the petitioner, the request of the petitioner was rejected.

The counsel for the petitioner submits that the respondents have not considered the judgment passed by this Court in the case of Piyu Dutta Vs. The State of West Bengal.

As the respondents have complied with the order by passing the reasoned and speaking order dated 26.11.2021, hence, this Court finds that the alleged contemnors have not violated the order passed by this Court and hence, the contempt application being **CPAN No. 2 of 2019** is disposed of.

If the petitioner is aggrieved with the reasoned order passed by the alleged contemnors is at liberty to take appropriate steps if so advised in accordance with law.

(Krishna Rao, J.)