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jdt.

26.04.2023
jb.

CPAN 196 of 2023
in
W.P.A. 2778 of 2022
(Santosh Biswas vs. Mr. Prabhat Kr. Mishra, Principal
Secretary, Irrigation and Waterways Department)

Mr. Baidurya Ghosal
.... For the Petitioner

Mr. Chandi Charan De
.... For the alleged Contemnor

Affidavit of compliance submitted on behalf of the
Principal Secretary, Irrigation and Waterways
Department is taken on record.

It is submitted that Principal Secretary was not
impleaded as party respondent to the writ petition and
is not the alleged contemnor herein.

It is a fact that the order under contempt directed
the 2nd respondent who is the Secretary, Irrigation and
Waterways Department, Jalasampad Bhavan to comply
with the order passed on June 27, 2022. The said
respondent has not been arrayed as contemnor in the
contempt application.

Learned counsel for the applicant/petitioner
seeks to withdraw the contempt application with liberty

to file a fresh application on the same cause of action.
Such liberty is granted.

The contempt application being CPAN 196 of
2023 is dismissed as withdrawn.

There shall however, be no order as to costs.

Urgent certified website copy of the order, if
applied for, be given to the parties on compliance of
requisite formalities.

(Suvra Ghosh, J.)