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15.12.2022
Ct. No. 06
Kole

CPAN 162 of 2022
In
WPA 3614 of 2021
Samaresh Dutta
-Vs.-
Prabal Kanti Maity

Mr. Krishna Das Poddar,

...for the petitioner.

This contempt application has been filed alleging wilful violation of an order dated February 15, 2021, whereby the present writ petitioner's writ application being WPA 3614 of 2021 was disposed of by giving the following direction:-

"I direct the Deputy Collector (Regularization), RR and R Department, Government of West Bengal, to consider and dispose of the representations dated December 10, 2018 (Annexure P-5 to the writ petition) and November 18, 2020 (Annexure P-6 to the writ petition), by a reasoned order, in accordance with law, within a period of twelve weeks from date of receipt of a copy of this order along with a copy of the writ petition, after giving an opportunity of hearing to the petitioner or his authorized representative and any other interested party.

The decision so taken shall be communicated to the petitioner within week from the date of the decision.

I have not gone into the merits of the petitioner's claim. It will be open to the respondent no. 6. to take an informed decision, in accordance with law."

Learned Advocate for the petitioner says that hearing was given and a reasoned order has been passed, albeit beyond the time period prescribed by this Court but the order is not in compliance with the spirit and intent of parent order dated February 15, 2021 passed by this Court.

Since a reasoned order has been passed in terms of my earlier order dated February 15, 2021, albeit belatedly, I do not think there is any ground for initiating contempt proceedings against the alleged contemnor. If the petitioner is in any manner aggrieved by the reasoned order passed by the alleged contemnor, he will be at liberty to challenge the same before the appropriate forum in accordance with law.

The contempt application is, thus, disposed of.

(Arijit Banerjee, J.)