

3. 24.06.2022

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W.P.C.R.C. 69 of 2022

Sudhir Chandra Bhowmick  
VS  
Shri Prahlad Joshi & ors.

Mr. Achintya Kumar Banerjee,  
Ms. Indumouli Banerjee,  
...for the petitioner.

Mr. Indrajit Dasgupta,  
Mr. Arijit Mazumdar,  
...for the alleged contemnors.

We have considered the affidavits of compliance, affidavit filed by the petitioner and the affidavit in reply filed by the alleged contemnor no. 6 to the said affidavit filed by the petitioner.

The issues raised in the affidavit affirmed by the petitioner on June 16, 2022 and dealt with by the alleged contemnors no. 6 in his affidavit in reply affirmed on June 22, 2022 are required to be adjudicated in a separate proceeding. In the contempt proceeding, we are only concerned whether there has been any willful or deliberate violation of our order or not. In the affidavits of compliance and in the affidavit in reply, the alleged contemnors have given some justification with regard to computation of benefits payable to the petitioner in terms of our order dated August 6, 2021.

On such consideration, we dispose of the contempt application by accepting the affidavits of

compliance with a rider that the issues raised in the affidavit affirmed by the petitioner on June 16, 2022 can be raised in an appropriate proceeding. Acceptance of affidavits of compliance shall not preclude the petitioner to raise the issues with regard to his pay fixation and other claims as raised in the affidavit affirmed on June 22, 2022.

The rule of contempt, thus, stands discharged.

There will be no order as to costs.

(Hiranmay Bhattacharyya, J.)

(Soumen Sen, J.)

