

62 12.05.2023
NB Ct. 39

CPAN 193 of 2023
In
WPA 4087 of 2013

Mr. Soumen Kr. Dutta,
Mr. Sabyasachi Bhattacharyya.
...for the petitioners.

Mr. Susovan Sengupta,
Mr. Manas Kumar Sadhu.
...for the State respondents.

Learned counsel appearing on behalf of the petitioners submits as follows. On 10.11.2022, this Court was pleased to dispose of WPA 4087 of 2013, inter alia, with the following direction. -

“ 16. Therefore, I direct the respondents to initiate and conclude the de-requisition proceedings in terms of the letter dated 16.05.2002 and quite in keeping with the order dated 17.03.2010 passed by this Court in WP No.2997(W) of 2009 within two months from the date of communication of this order.”

This order was passed in the presence of the learned counsel for the State. A copy of the order was communicated to the alleged contemnor by a letter dated 21.11.2022, the delivery for which by post was thereafter, confirmed. The respondents have not preferred any appeal against the said order. Still they chose to deliberately violate the same by not concluding the de-requisition proceeding within two weeks from the date of communication of the order. However, it may be pertinent to

mention that an enquiry was done in this regard about four months ago.

It appears that the order dated 10.11.2022 passed by this Court directing the respondent authorities to conclude the de-requisition proceeding within two months from the date of communication of the order has not been complied with.

Thus, a prima facie case is made out for issuance of notice of contempt.

Let the petitioner communicate a gist of this order and serve a copy of the contempt application on the alleged contemnors by speed post with acknowledgement due, within a week and file an affidavit of service to that effect on the next date.

List this matter for hearing under the same heading 'Application' on 21st June, 2023.

Urgent photostat certified copy of the said order may be supplied to the parties expeditiously, if applied for.

(Jay Sengupta, J.)