

02 07.06.22

COLRT 3 of 2022

Ct. No. 04

Akd

Mukul Jha
Vs.
The State of West Bengal & Ors.

Mr. B. N. Ray,
Ms. Shetparna Ray.
 ... for the petitioner.
Mr. Chandi Charan De,
Mr. Chandan Ghosh.
 ... for the State.

The writ petition is taken out primarily for an order upon the Tribunal to dispose of the contempt application filed in the month of February, 2022 alleging violation of the interim order passed in the tribunal application.

The allegation goes to the extent that despite the contempt application having taken on board, yet no order has been passed in the said contempt application and the next date is fixed on 14th July, 2022.

The State respondents are before us including the alleged contemnor represented by Mr. De, learned Additional Government Pleader.

There is a serious allegation made in the contempt application over the alleged violation of the interim order and willful and deliberate attempt to defy the same.

We feel that the alleged contemnor ought to have been given an opportunity to deal with the allegations, as the consequence in the contempt jurisdiction is serious in nature. We find that the contempt application is annexed to the writ petition filed before us and, therefore, the alleged contemnor is aware of filing of the said contempt application.

Since the next date is fixed on 14th July, 2022, we feel that the alleged contemnor must get an

opportunity to deal with the allegations by filing affidavit before the Tribunal.

Accordingly, the alleged contemnor being the respondent no. 4 is directed to file affidavit-in-opposition to the contempt application before the Tribunal within four weeks from date; reply thereto, if any, shall be filed by 12th July, 2022.

The Tribunal is requested to take up the contempt application on the date so fixed, i.e. 14th July, 2022 and shall pass appropriate order as it may deem fit.

The writ petition is thus disposed of.

(Harish Tandon, J.)

(Shampa Dutt (Paul), J.)