

4th November,
2022
(AK)
03

CPAN 311 of 2022
in
W.P.A 171 of 2022

Tanuja Begam Laskar
Vs.
Satyajit Biswas and others

Mr. Arun Kumar Mohanty
Mr. Ushananda Jana
Ms. Diya Bain

...for the petitioner.

Mr. Lalit Mohan Mahat
Mr. Prasanta Behari Mahata

...for the contemnor no.1.

Mr. A. Banerjee
Mr. S. Ghosh

...for the contemnor nos. 2 to 10.

Affidavits-in-opposition and affidavits-in-reply filed
in court today be kept on record.

Learned counsel for the petitioner submits that,
contrary to the order of this court dated January 10,
2022, the alleged contemnor had issued the notice-in-
question on March 3, 2022 instead of within January 22,
2022.

It is submitted that although stay for a month had
been granted, the said period was also overshoot in issuing
the notice.

Be that as it may, since a substantive appeal is
pending before the Division Bench against the order
dated January 10, and in view of the order having been
substantially complied with and being rendered

infructuous in the meantime in view of the Pradhan having been removed, there is no scope of issuing a Rule of Contempt at the present juncture in view of the above circumstances.

The minor delay in issuing the notice-in-question cannot justify the severe penalty of issuance of a Rule of Contempt and/or penalizing the alleged contemnor for contempt.

However, it is made clear that it will be open to the parties to canvass all points against each other on merits before the Division Bench in the appeal.

Yet, there is no scope of passing any order in the present contempt application.

Accordingly, CPAN 311 of 2022 is disposed of in the light of the observations made above.

There will be no order as to costs.

Urgent photostat copies of this order, if applied for, be given to the parties upon compliance of all requisite formalities.

(Sabyasachi Bhattacharyya, J.)