

**CPAN 312 of 2021
in
WPA 10715 of 2020**

(Tapati Kayal Vs. Dr. Anindya Narayan
Biswas & Ors.)

**Mr. Ashok Kumar Jha
Ms. Moumita Mondal
..... For the petitioner**

**Ms. Chaitali Bhattacharya
..... For the alleged contemnor
nos. 2 & 4**

The present contempt application has been preferred alleging violation of the order dated 17th August, 2020 passed in WPA 10715 of 2020.

Mr. Jha, learned advocate appearing for the petitioner submits that the respondents have not complied with the order deliberately and in the process thereof, the petitioner had been the worst sufferer.

Ms. Bhattacharya, learned advocate appearing for the alleged contemnor nos. 2 and 4 submits that the petitioner's claim in the writ petition was towards the arrears pertaining to a period from 1st May, 1996 to 28th February, 2010. Let the documents, as produced, be kept on record.

She submits that the arrear dues pertaining to the said period was Rs.15,82,376/-. Upon deduction of Professional Tax and GPF an amount of Rs.13,99,456/- has already been disbursed in favour of the petitioner. The delay which has occasioned towards compliance of

the order is not deliberate and the alleged contemnors tender their unconditional apology.

Mr. Jha, however, submits that only a part amount has been disbursed in favour of the petitioner and other dues have been illegally withheld.

Upon hearing the learned advocates appearing for the respective parties and considering the materials on record, I am of the opinion that there has been no deliberate or intentional violation of the order passed by this Court.

In view thereof, the contempt application being **CPAN 312 of 2021** is dismissed.

Rule, if any, stands discharged.

The petitioner shall, however, be at liberty to approach the appropriate forum claiming payment of further dues, if any and in accordance with law.

All parties shall act on the server copies of this order duly downloaded from the official *website* of this Court.

(Tapabrata Chakraborty, J.)