

Item No.243

10.02.2022
Ct-24

In The High Court At Calcutta
Special Jurisdiction
(via video conference)

CPAN 367 of 2021
Jayanta Mistry

v.

Shri Subodh Kumar Jaisweal & Ors.

In
WPA 9874 of 2020

Mr. K.B.S. Mahapatra
Mr. S.K.Santra
Ms. Rama Halдар Santra
... for the petitioner.

Mr. Bhudeb Chatterjee
Mr. Rajen Dutta
... for the contemnors.

The petitioner alleges violation of the direction passed in the order dated January 5, 2021. The order passed by this Court was challenged in appeal and by an order dated November 10, 2021 in MAT 399 of 2021 the Hon'ble Division Bench was of the view that the parties be referred to a trained mediator.

In compliance of the direction passed by the Hon'ble Division Bench, the petitioner and his estranged wife participated in the mediation proceeding and an agreement of settlement has been entered into between the parties on February 9, 2022.

The settlement agreement has been placed before this Court. The parties have mutually agreed as to how

the money will be paid to the wife of the petitioner/husband.

It has been submitted by the learned advocate representing the alleged contemnors that the appeal is due to appear before the Hon'ble Division Bench in the month of April 2022.

As it appears that the order passed by this Court has already been carried forward in appeal and is presently pending decision before the Hon'ble Division Bench, accordingly in terms of the principle of merger the order of the Hon'ble Division Bench presently holds the field.

No further order is required to be passed in the contempt application.

The contempt application is disposed of.

The agreement of settlement entered into between the parties be retained with the records.

Urgent photostat certified copy of this order, if applied for, be given to the parties after completion of all legal formalities.

Sh

(Amrita Sinha, J.)