

2nd September,
2022
(AK)
26-27

CPAN 477 of 2022
In
C.O. 2301 of 2019

Anil Kumar Poddar
Vs.
Partha Acharya, WBCS (Executive)

Mr. Ashim Kr. Roy
Mr. Sutanu Chakraborty
...for the petitioner/applicant.

Mr. Sudipto Pauda
Mr. Subrata Ghosh
...for the alleged contemnor.

Learned counsel for the alleged contemnor submits that, pursuant to the direction of this court, the pending matter before the alleged contemnor was disposed of on August 24, 2022, that is, well within the outer limit as fixed by this court.

Learned counsel appearing for the applicant seeks to file a supplementary affidavit indicating that the applicant was “punished” by virtue of the said order for having come to this court.

However, since this is a contempt application and the jurisdiction of this court while hearing the same cannot be extended to considering the merits of a subsequent order, on whatever ground, there is no scope for granting liberty to file such supplementary affidavit and such prayer is refused.

However, leave is granted to the applicant to challenge the subsequent order passed by the alleged contemnor before the appropriate forum, if the applicant is aggrieved by the same.

A certified copy of the order passed by the alleged contemnor on August 24, 2022, filed by learned counsel for the alleged contemnor, be kept on record.

Without going into the merits of such subsequent allegations, CPAN 477 of 2022 is disposed of as infructuous without any 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.)