

[12 16.12.22

Ct. No. 04

Akd

WPCRC 121 of 2022

Swapn Kumar Saha

Vs.

Prasenjit Ghosh.

Mr. Srikanta Datta.

... for the applicant.

Mr. Usof Ali Dewan,

Mr. Arif Dewan.

... for the alleged contemnor.

Pursuant to the order dated 5th August, 2022 the affidavit of compliance has been filed by the alleged contemnor. Let the same be kept with the record.

It is indicated therein that because of the financial crunch, the retiral benefits could not be paid to the retired employee. It is further indicated that the same was paid in a phase wise manner as and when the fund is available and the petitioner herein has already been paid the interest over the delayed payment of the retiral benefits. It is thus submitted that there was no intentional violation of the solemn order as the alleged contemnor is a law abiding citizen and have greatest regard to the majesty and sanctity of the Court.

The learned Advocate for the petitioner submits that his client has received the retiral benefits as well as the interest and there is no further claim in this regard.

In view of the above and considering the explanations so offered in the said affidavit, I do not want to proceed with the contempt application, the same is hereby dismissed.

The Rule is discharged. There will be no order as to costs.

(Harish Tandon, J.)

