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IN THE HIGH COURT AT CALCUTTA
CONSTITUTIONAL WRIT JURISDICTION
APPELLATE SIDE

C.P.A.N. 249 of 2023
in
W.P.A. No. 28160 of 2022

Kamrulnisa
Vs.
Shri Partha Acharyya,
Rent Controller & Anr.

Mr. Anirban kar,
Mr. Munshi Ashiq Elahi,
Mr. Sahidullah Mridha
...for the petitioner

Mr. Anirban Ray,
Ms. Amrita Panja Moulick
...for the State

Learned Government Pleader submits at the outset that the order of this Court passed in the writ petition has been complied with. Although the petitioner might have a grievance regarding alleged late acceptance of rent, the same cannot be a subject-matter of the contempt jurisdiction.

Learned counsel appearing for the petitioner submits that the petitioner may suffer from legal consequences due to the delay in acceptance of rent by the alleged contemnor.

Be that as it may, it does not come within the purview of the contempt jurisdiction to decide whether the deposit made by the petitioner was valid in the eye of law. Such exercise would not

only be premature but also beyond the scope of the contempt jurisdiction.

In any event, when occasion so arises, in a suit or otherwise, for the petitioner to suffer from any legal consequences for the delay in acceptance of rent by the respondents and/or due to the pendency of the writ petition as well as the contempt application, it will be open to the petitioner to seek for and produce documents in that regard from the alleged contemnor or otherwise for citing before the concerned forum.

However, there is no further necessity to keep the contempt application pending.

Accordingly, C.P.A.N. 249 of 2023 is disposed of with the above observations and with liberties granted above to the petitioner.

There will be no order as to costs.

(Sabyasachi Bhattacharyya, J.)