

09.06.2023

Sl no. 4 & 5
Ct no. 2
P.M.

CPAN 301 OF 2023
in
WPA 20432 of 2022
+
CAN 1 of 2023
+
WPA 5497 of 2023
Sri Amaresh Shaw
- Vs -
Sri Gunadhar Bhounmik & Ors.

Mr. Subrta Kumar Basu,
Mr. Sounak Sen
... for the petitioner

Mr. Milan Chandra Bhattacharya, Sr. Adv.
Mr. P.C. Bhattacharyya,
Mr. Chandan Kumar Lal
... for the alleged contemnor.

Mr. Pradip Kumar Roy,
Mr. Joydeep Roy
... for the State.

Mr. Srijan Nayek,
Mr. Ankit Sureka,
Mr. Biplab Das
... for respondent No. 2

Mr. Srijan Nayek ,
Ms. Rituparna Maitra
... for the State in WPA 5497 of 2023

Heard learned advocates appearing for the
respective parties.

This contempt application being CPAN 301 of
2023 has been filed by the petitioner against the
alleged violation of order of this Court dated 15th
September, 2022 and the respondent Nos. 4-6 in the
original writ petition has filed the application for
modification of the order dated 15th September,
2022.

Mr. Bhattacharyya, learned senior advocate representing the applicants for modification of the order dated 15th September, 2022 submits that in compliance of the order of this Court dated 15th September, 2022 order was passed by the Board on 9th December, 2022 being annexure P/3 at page 42 of the contempt application and he has also filed resolution of the members of the General Body dated 28th November, 2022 where the grievance of the petitioner was considered and decision was taken not to reinstate the petitioner.

Learned advocate appearing for the petitioner submits that after the order of this Court dated 15th September, 2022 which alleged to have been violated, petitioner has filed another writ petition being WPA 5497 of 2023 which is still pending.

In view of the aforesaid factual and legal position and taking into consideration that pursuant to the order of this Court dated 15th September, 2022 a decision has already been taken by both the Board and the General Body and since the action of the Board subsequent to the order of this Court is subject matter of challenge in another writ petition no further order can be passed and accordingly the

contempt petition being CPAN 301 of 2023 and application being CAN 1 of 2023 stand disposed of.

Petitioner is at liberty to urge all the points in the pending subsequent writ petition if petitioner is aggrieved by the order of the Board or General Body, in accordance with law.

(Md. Nizamuddin, J.)