

08-05-2023
Item no.15
Subrata
Bhattacharyya

IN THE HIGH COURT AT CALCUTTA
Special Jurisdiction
Appellate Side

WPCRC No.71 of 2023
Pulak Tung & Ors.
-vs-
Upali Roy
arising out of
WPA No.7202 of 2020

Mr. Ekramul Bari
Mr. S.M. Ali ...for the petitioners

Sk. Md. Galib
Mr. Gourav Das ...for the contemner

Pursuant to the last order dated April 17, 2023, the alleged contemner files an affidavit of compliance; let it be taken on record.

The alleged contemner submits that notice of the contempt application was not served upon her. However, after receiving the contempt rule, she complied with the court's order subject to the result of an appeal being MAT No.646 of 2023 preferred by the State. She also submits that in compliance with the judgement and order passed on February 3, 2023 in WPA No.7202 of 2020, the Director of Mass Education Extension, West Bengal has already approved the panels of the select candidates. Thereafter, after the approval was accorded, the appointment letters were issued to the petitioners. She submits that due to consultation with the department of the Legal Remembrancer for the purpose of preferring the appeal, there has been delay in complying with the court's order, but that she had no intention to disobey the court's order. Under such circumstances, she prays that the contempt rule issued against her be discharged and the contempt proceedings be dropped.

Upon a perusal of the affidavit of compliance and the compliance report on behalf of the alleged contemner, I am satisfied that the order of this court, although after some delay, has been complied with by the alleged contemner by approving the panel and by issuing the appointment letters to the petitioners. It is submitted that the petitioners have already joined in their respective posts.

The initial delay committed by the alleged contemner may not be attributable to her alone and may be owing to procedural wrangles in the office of the alleged contemner.

Be that as it may, since the order has been complied with, I feel that no further purpose would be served in keeping the rule alive.

Accordingly, WPCRC No.71 of 2023 stands disposed of. The rule is discharged and the contempt proceedings against the alleged contemner is dropped.

No order as to costs.

The parties are to act on the server copy of this order duly downloaded from the official website of this court.

[Rabindranath Samanta, J.]

