

ML 33
19.04.2024
Ct. No. 15
adeb

W.P.C.R.C. 140 of 2009
In
W.P.A. 15139 of 2003

Rajnarayan Singh
Vs.
B. Mohan & Anr.

Mr. Achin Kumar Majumder
Ms. Ananya Adhikary
....for the Applicant

Mr. Sukumar Bhattacharyya
Ms. Oindrila Chatterjee
Ms. Puja Sonkar
...for the respondents

In the contempt application applicant complains of violation of the order dated 1st December, 2008 passed by a coordinate Bench on the connected writ petition.

Mr. Sukumar Bhattacharyya, learned advocate representing the alleged contemnors submits that the present incumbent being the Senior Divisional Security Commissioner, RPF, East Central Railway, Dhanbad needs to be arrayed as additional alleged contemnor since he is the appropriate authority to take steps for compliance of the said order dated 1st December, 2008.

Accordingly, leave is granted to the learned advocate representing the applicant to amend the cause title of the contempt application in course of this day and add the aforesaid officer as additional alleged contemnor.

Service of notice upon the newly added alleged contemnor stands dispensed with since Mr. Sukumar

Bhattacharyya, learned advocate is representing the concerned authorities.

In course of hearing it has been submitted on behalf of the alleged contemnors that the amount which is payable to the applicant could not be paid since necessary credential in support of the age of the applicant is required to be produced before the Senior Divisional Security Commissioner.

Mr. Achin Kumar Majumder, learned advocate representing the applicant submits that if any date is fixed by this Court, the applicant shall remain present before the said Senior Divisional Security Commissioner for production of credential in support of correct age of the applicant as well as his date of birth in order to facilitate the payment.

Accordingly, the applicant is directed to remain present before the Senior Divisional Security Commissioner being the added alleged contemnor on 3rd May, 2024 at 12.00 noon along with credential and copy thereof which may also include identity card of the applicant being employee of railways and shall submit copy of the credential before the Senior Divisional Security Commissioner for expeditious release of the amount payable to him.

If aforesaid document is produced before the Senior Divisional Security Commissioner which supports the date of birth of the applicant as maintained in the

record of railways, the said Senior Divisional Security Commissioner shall take immediate steps for release of the amount in favour of the applicant which is payable in terms of the order dated 1st December, 2008 within a period of 2 (two) weeks thereafter.

Let the contempt application appear under the same heading on 14th June, 2024 when the Senior Divisional Security Commissioner is directed to file affidavit-of-compliance.

(Saugata Bhattacharyya, J.)