

D/L. 22.
July 21, 2023.
MNS.

CPAN 752 of 2023
in
WPA No. 28437 of 2022

Kanchi @ Sanjit Makhal
Vs.
ADG & IG of Correctional Services and another.

Mr. Malay Bhattacharyya,
Mr. Dibakar Sardar,
Ms. Sudipa Sengupta

...for the petitioner.

Learned counsel for the petitioner submits that, in contravention of the order dated January 10, 2023 passed in WPA 28437 of 2022, the respondent authorities, although considered the issue of premature release of the petitioner, did not grant such release.

However, since the scope of the direction passed in the order under contempt was that the SSRB was to reconsider the issue of premature release of the petitioner on the correct yardsticks, which has already been done by the SSRB, no occasion of issuing a Rule of Contempt arises.

Since the petitioner has alleged that the proper yardsticks were not followed by the SSRB, the same furnishes a new cause of action for a fresh writ petition.

Accordingly, CPAN 752 of 2023 is disposed of by granting liberty to the petitioner to file a fresh writ

petition on the subsequent cause of action arising after the order under contempt.

There will be no order as to costs.

Urgent photostat certified copies of this order, if applied for, be made available to the parties upon compliance with the requisite formalities.

(Sabyasachi Bhattacharyya, J.)