

30.01.2025
Item No.1203
Court No.29.
S. De

C.P.A.N. 1581 of 2023
in
MAT 1066 of 2023

Piku Jha.
Vs
Nitin Singhania.

Mr. Pinaki Dhole,
Mr. Rabindra Kumar Pathak, ...for the petitioner.

Order dictated by Arijit Banerjee, J.

1. This contempt application has been filed alleging willful violation of a judgment and order dated August 22, 2023, whereby MAT 1066 of 2023 was disposed of. The operative portion of the said order reads as follows :-

“The complaint of the writ petitioner is based on certain facts which we are not in a position to verify. Hence, we grant liberty to the appellant/writ petitioner to approach the District Magistrate, Malda, being the respondent no.3 herein, with a comprehensive representation and if the appellant does so within three weeks from date, the respondent no.3 will take a reasoned decision thereon, in accordance with law, within a period of four weeks from the date of

receipt of the representation, after affording opportunity of hearing to the present appellant/writ petitioner and the private respondents and/or their authorized representatives. In the event, the respondent no.3 finds merit in the grievance of the appellant, appropriate remedial measures will be taken, in accordance with law, so that such grievance is redressed.

We do not see any infirmity in the order under appeal. Our order is only clarificatory of the learned Judge's order.

We have not gone into the merits of the disputes between the parties. No observation in this order shall be construed as any kind of mandate on the respondent Authorities to decide the representation that the appellant proposes to make, in any particular manner.”

2. Learned advocate for the petitioner tells us that a comprehensive representation was made within the time period indicated in the aforesaid order. The same was duly received by the alleged contemnor.

Twice, hearing was held before him. However, no reasoned order has been passed.

3. Let a copy of this contempt application be served on the alleged contemnor and affidavit-of-service be filed in Court on the next date.
4. List this matter on February 13, 2025.

(Arijit Banerjee, J.)

(Apurba Sinha Ray, J.)