

23.08.2023
Item No.16
Ct. No.5
CHC

WP.ST 171 of 2015

**Sri Dhiman Mukherjee & anr.
Vs.
Lakshman Sana & ors.**

Mr. Tapan Kr. Mukherjee, Sr. Advocate & A.G.P.
Mr. Pinaki Dhole,
Mr. Somnath Naskar
...for the petitioner

Mr. Suman Banerjee,
Mr. Sujoy Sarkar,
Mr. Rahul Chachan
...for the respondent no.1

The writ petition is at the behest of the persons who were held in contempt by the Tribunal in C.C.P. 89 of 2014.

The private respondent filed an Original Application being O.A.361 of 2013. O.A.361 of 2013 was disposed of in favour of the private respondent by an order dated January 31, 2014.

Alleging non-compliance with the order dated January 31, 2014 passed by the West Bengal Administrative Tribunal, the private respondent initiated contempt proceeding before Tribunal which was numbered as C.C.P. 89 of 2014.

C.C.P. 89 of 2014 was disposed of by the impugned order dated April 6, 2015.

State preferred a writ petition being WPST 170 of 2015 directed against the order dated January 31, 2014 passed in O.A.361 of 2013.

Today, on the stand taken by the private respondent that, he was not seeking absorption to his original department, the order dated January 31, 2014 passed in O.A.361 of 2013 was set aside.

In view of the order dated January 31, 2014 passed in O.A.361 of 2013 being set aside nothing survives in the contempt petition being C.C.P. 89 of 2014.

Consequently, the impugned order dated April 6, 2015 passed in C.C.P. 89 of 2014 is set aside.

C.C.P. 89 of 2014 is dismissed.

WP.ST 171 of 2015 is allowed without any order as to costs.

(Debangsu Basak, J.)

(Md. Shabbar Rashidi, J.)