

29th September,
2023
(AK)
19

CPAN 1279 of 2023
in
WPA 15216 of 2023

Narayan Chandra Maiti
Vs.
Mr. S.K. Dutta

Mr. Ramdulal Manna
Ms. Manju Manna (Dey)
Mr. Sayan Mukherjee
Ms. Payel Khanra

...for the petitioner.

1. Learned counsel for the petitioner submits that due to *bona fide* inadvertence, a copy of the contempt application has been served on the alleged contemnor despite there being no order of the court.
2. An affidavit-of-service to that effect is filed in court.
3. However, due to the implicit nature of an application for contempt, it is the usual practice not to serve a copy thereof on the alleged contemnor unless there is a specific direction of court.
4. Hence, the service alleged to be effected on the alleged contemnor is ignored.
5. A perusal of the materials-on-record indicate that there is *prima facie* case of contempt made out by the petitioner.
6. Accordingly, the petitioner shall serve copies of the contempt application on the alleged contemnor indicating that the matter shall be listed on November 17, 2023

when the petitioner shall file an affidavit-of-service to that effect.

(Sabyasachi Bhattacharyya, J.)