

1902
2025

WEDNESDAY

Transcriber : Court
: SCB-654
Item : DL-02
Matter : WPCRC
Status : PA
Bench ID : 266057
NANDY

IN THE HIGH COURT AT CALCUTTA
SPECIAL CIVIL JURISDICTION
APPELLATE SIDE

WPCRC 74 OF 2024

SRI DEBASISH PAL

Vs.

ABDUR RHIM CHOUDHURY & ANR.

MR. YASHRAJ ROY, ADVOCATE

.....for the Petitioner

MR. ANKIT SUREKA, ADVOCATE

MR. BIPLAB DAS, ADVOCATE

.....for the Contemnor No. 2

1. The supplementary affidavit filed by the petitioner in Court today, be taken on the record.
2. The instant contempt application has been filed alleging willful violation of the order of this Court dated 20th July 2023, passed in WPA 17799 of 2022. By that order, the writ petition was disposed of by directing respondent no. 4 therein to decide on the petitioner's application, dated 2nd December 2022, submitted before him, with a prayer for the grant of subsistence allowance from the date of his suspension and for the current month, in accordance with law. The decision was to be made positively within a period of four weeks from the date of communication of the order,

after giving an opportunity for hearing to the petitioner or his authorized representative.

3. The respondent no. 2 therein was directed to ensure the compliance of the order by respondent no. 4 within the stipulated time.
4. On 3rd April 2024, when the contempt application was taken up for hearing, this Court, upon being satisfied that a prima facie case of willful disobedience and violation of the order dated 20th July 2023 by alleged contemnor no. 1 was made out, issued the Rule against alleged contemnor no. 1.
5. However, it is submitted that, till date, the contemnor has failed to comply with the order, although the order was duly brought to his notice.
6. It is submitted by the learned advocate appearing for respondent no. 2 that necessary instructions were given to alleged contemnor no. 1 to comply with the order passed in the writ petition.
7. Therefore, the conduct of the alleged contemnor is sufficient to prompt this Court to order his personal appearance. However,

without taking drastic steps at this moment, this Court finds it appropriate to give the alleged contemnor an opportunity to appear before this Court virtually on 26th February 2025 at 1:05 p.m., positively, and to explain why appropriate action should not be taken against him under the Contempt of Court Act for the violation of the order dated 20th July 2023 passed in WPA 17799 of 2022.

8. The petitioner is directed to communicate this order to alleged contemnor no. 1 and to his learned advocate, Mr. Sanjib Kumar Dan, Bar Association Room No. 15, High Court, Calcutta, forthwith, and to file an affidavit of service on the returnable date.

(PARTHA SARATHI CHATTERJEE, J)

