

13.08.2024
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Sl. No. 44-45
Ct. No. 08

CPAN 909 of 2023
in
WP.ST 106 of 2019
With
CPAN 910
In
WPST 126 of 2019

Dhananjoy Das & anr.
Vs.
Surendra Gupta & ors.

Mr. Pratik Dhar
Mr. Pappu Adhikari
..... for the applicant
Mr. Sirsanya Bandyopadhyay
.... for the State
Ms. Piyali Sengupta
Mr. Victor Chatterjee
Mr. Souvik Ghosh
..... for the respondent No. 6
Mr. Arkaprava Sen
Mr. Sayantan Kar
..... for the respondent No. 9

Though we do not approve the manner in which the affidavit-in-opposition to the contempt application is filed by several alleged contemnors jointly but after hearing the counsel appearing for the Public Service Commission and Mr. Dhar learned senior counsel appearing for the petitioners, we dispensed with the filing of the separate affidavits and accept the same in pursuit of determining the issues raised in the contempt application.

Mr. Bandyopadhyaya, learned advocate appearing for the alleged contemnor Nos. 1 to 4 and 7 is directed to file the second Judge's copy of the said opposition by tomorrow, i.e., 14th August, 2024.

It is submitted by Mr. Bandyopadhyay, learned advocate that the deponent of the affidavit-in-opposition is in fact an alleged contemnor No. 8 but it does not appear from the nomenclature of the said affidavit that the same is affirmed not only on behalf of the other alleged contemnors but for himself as well.

Mr. Dhar, learned senior advocate is very critical on the role of the alleged contemnor No. 8. The said alleged contemnor is the law officer and obviously knows the nuances of the law.

We do not want to delve on what transpired in course of the hearing and disclosed by Mr. Dhar but we feel that the said alleged contemnor should remain personally present and disclose his stand in relation to the allegations so made. The alleged contemnor No. 8 is directed to remain personally present on the next date of hearing.

The counsel for the alleged contemnor No. 9 prays for extension of time to file opposition to the contempt application. Let the opposition be filed by the said respondent within a week from date. Reply thereto, if any, shall be filed within three days therefrom by the petitioners.

Learned counsel appearing for the petitioners has filed affidavit-in-reply to the opposition filed by Mr. Bandyopadhyay's client which is also taken on record.

Let this matter be listed on 30th August, 2024.

For the purpose of record, it is made clear that the copy of the affidavit-in-opposition filed by the alleged contemnor No. 6 is handed over to Mr. Bandyopadhyay in Court today.

(Harish Tandon, J.)

(Prasenjit Biswas, J.)