

Court No. 22
02.01.2023
(Item No. 5)
(AB)

IN THE HIGH COURT AT CALCUTTA
Constitutional Writ Jurisdiction
Appellate Side
C.P.A.N. 1054 of 2022
in
W.P.A. 16079 of 2015

Sri Milon Kumar Bhattacharya
VS
Sri Sumanta Sagar

Mr. Sujit Kumar Rath
.... For the petitioner
Mr. Soumalya Ganguly
.... For the contemnor

Affidavit of service filed in Court today, is taken on record.

Mr. Soumalya Ganguly, learned advocate appears for Sri Sumanta Sagar, the alleged contemnor.

This contempt application arose on the ground alleging that the alleged contemnor willfully and deliberately did not comply the directions made by this Court on July 25, 2022, **Annexure “P”** to the contempt application.

The communication of the Insurance Company dated August 25, 2022, **Annexure “Q”** to the contempt application makes it evident that, the direction of this Court was duly complied with.

Mr. Sujit Kumar Rath, learned advocate appearing for the contempt applicant submitted that, the rejection of the claim as would appear from the said **Annexure “Q”** to the contempt application was

not just and proper and the same was not done pursuant to the direction made by this Court on July 25, 2022.

Considering the above submissions made on behalf of the applicant, this Court is of the firm view that, the same cannot be gone into a contempt proceeding. The jurisdiction of Court while adjudicating a contempt proceeding is very limited only to the extent to examine whether there was any willful or deliberate violation of direction of the Court and not beyond that. The communication dated August 25, 2022, **Annexure “Q”** to the contempt application clearly shows that the direction of this Court was complied with and there was no violation at all on the part of the alleged contemnor.

In view of the above, this contempt application is devoid of any merit. This contempt proceeding being **CPAN 1054 of 2022**, accordingly stands dropped.

(Aniruddha Roy, J.)