

IN THE HIGH COURT AT CALCUTTA
SPECIAL CIVIL JURISDICTION
APPELLATE SIDE

CPAN 1982 of 2024
in
MAT 2311 of 2023

Sonu Harijan
Vs.
Md. Ghulam Ali Ansari & Ors.

Mr. S.N. Biswas
... For the applicant/appellant

Dictated by Arijit Banerjee, J.

1. This contempt application has been taken out alleging willful violation of an order dated December 15, 2023 whereby MAT 2311 of 2023 was disposed of. The operative portion of the said order reads as follows:-

“We agree with the learned Single Judge that in a situation like the present one, the Writ Court must, in order to do substantive justice, issue appropriate directions. The learned Judge has issued such direction. We only clarify that the process for filling up the vacant sanctioned post(s) in accordance with law, and the directions passed by the Hon’ble Apex Court in the case of **Umadevi** (supra) be initiated and completed by the Municipality after obtaining immediate permission from the Director of Local Bodies, within six months from the date of communication of this order by the appellant to the Chairperson of the said Municipality.

We clarify that we are not issuing any mandamus to absorb the appellant. The appellant will only be entitled to participate in the

recruitment process condoning any age bar. Only if he is successful in such process, he will be absorbed.”

2. Learned advocate for the appellant says that in spite of due communication of the said order, the alleged contemnors have not complied with the same.

3. Let service of the contempt petition be effected on the alleged contemnors and affidavit-of-service be filed on the next date.

4. List the matter on February 27, 2025.

(Arijit Banerjee, J.)

(Apurba Sinha Ray, J.)