

18th May, 2023
(S.L.J. No.1)
(SKB)

**High Court at Calcutta
In the Circuit Bench at Jalpaiguri**

**CPAN 20 of 2022
In
W.P.A. 148 of 2019**

Banibrata Bhowal
Versus
Sonam W. Bhutia

Mr. Deaipayan Basu Mallick,
Mr. Rahul Kumar Singh,
Ms. Sweta Chakraborty
... for the applicant/petitioner.

Mr. Ayan Banerjee,
... for the alleged contemnor.

1. The alleged contemnor is represented. Counsel explains the delay on the part of the alleged contemnor and submits that the order passed by this court on 6th September, 2019 was communicated to the alleged contemnor immediately thereafter but was not placed before the concerned person till December, 2022. The alleged contemnor gave hearing to the applicant/petitioner after receiving the order and passed an order dated 7th February, 2023 which, however, bears the date 29th December, 2022 at the first page of the order.
2. The inconsistency of the dates on the first and last pages of the order of the alleged contemnor has been explained by counsel. Counsel submits that date of

the first page is not the correct date since the order was passed on 7th February, 2023, which is the correct date.

3. Since nothing remains in the contempt proceedings, the applicant/petitioner will be at liberty to challenge the order dated 7th February, 2023.
4. CPAN 20 of 2022 is accordingly disposed of. The alleged contemnor/departments responsible for the delay shall, however, pay costs of Rs. 20,000/- to the petitioner for the delay of three years for compliance. The amount shall be paid by 31st May, 2023.

(Moushumi Bhattacharya, J.)