

19.1.2023
Court No.19
Sl.no.5

sn

In the Circuit Bench at Jalpaiguri

CPAN 32 of 2022
In

W.P.A. 300 of 2021

Kharga Bahadur Chhetri
Vs.
Sharmila Sarkar

Mr. Sudipta Narayan Ghosh
Ms. Supriya Singh
Mr. Debarshi Dhar

..for the applicant

Mr. Momenur Rahaman

..for the alleged contemnor

Mr. Rahaman, learned advocate appearing on behalf of the alleged contemnor fairly admitted that no hearing was given to the petitioner before the order was passed by the authority. The alleged contemnor is willing to purge the contempt by initiating de novo proceeding upon recalling the order already passed.

Accordingly, this Court is of the view that the alleged contemnor can always be granted an opportunity to purge the contempt, by withdrawing the order which has been communicated. A further hearing shall be given to the petitioner within February 15, 2023. After considering the submissions of the petitioner and documents that

may be relied upon by the petitioner, a reasoned order shall be passed and communicated within March 1, 2023.

Time period mentioned hereinabove, shall be treated as mandatory.

The order already passed shall be recalled by the authority.

The contempt proceedings are dropped.

The contempt application is disposed of.

(Shampa Sarkar, J.)