

07 20.04
Supp 2023
Ct No
24
AGM

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

**CPAN 57 of 2021
With
WPA 256 of 2020**

**Birbahadur Pariyar
Vs
Khursed Alam Qadri**

Mr. Milindo Paul
Mr. Nabankuar Paul

... For the petitioner.

Mr. Amal Kumar Sen, A.G.P.
Mr. Lal Mohan Basu

... For the State.

The parties admit that the amount as mentioned in the certificate has been disbursed in favour of the petitioner.

The petitioner alleges that as the awarded amount has been disbursed in favour of the petitioner at a delayed point of time, accordingly he will be entitled to receive compound interest in accordance with law. The same is also mentioned in the certificate issued by the Certificate Officer and Sub Divisional Officer, Darjeeling.

The aforesaid contention of the petitioner regarding awarding compound interest is opposed by the learned advocate representing the alleged contemnor.

Presently the Court is perusing the contempt application. It does not appear that there is willful and deliberate violation of the direction passed by this Court and payment has been made in favour of the petitioner.

Whether the petitioner will be entitled to any further amount on account of the delayed payment of interest is to be adjudicated before a separate forum and cannot be decided in the instant contempt proceeding.

It will be open for the petitioner to approach the authority for necessary relief, if permissible in law.

There is no requirement of proceeding with the contempt application any further.

The same stands disposed of.

Urgent certified photocopy of this order, if applied for, be supplied to the parties expeditiously on compliance of usual legal formalities.

(Amrita Sinha, J.)