

ASR 1.  
19.1.2024

**CPAN 64 of 2023  
With  
MAT 1755 of 2022**

**Khelai Chandi Mela Committee & Ors.  
Vs.  
Tamil Chandi Mela Committee & Ors.**

**Mr. Dibyendu Chatterjee  
Mr. Rahul Deb Goenka  
Mr. Mainak Singha Barma**

**.....For the petitiners**

It is an admitted position that the petitioners were allowed to file a fresh application before the Sub-Divisional Officer in terms of the order of the Division Bench dated 8<sup>th</sup> December, 2022.

The grievance of the petitioners is that the order required consideration of their application only and no other application.

The said authority considered their application with other applications and hence was in contempt, it is alleged.

We are unable to agree with this contention. The said order dated 8<sup>th</sup> December, 2022, nowhere stated that the petitioners' application was the only application in the file of the Sub Divisional Officer to be considered by him.

Hence in our view, this contempt application is not maintainable.

However, whether the Sub-Divisional Officer was required to consider the application of the petitioners only to the exclusion of other applications is kept open to be agitated in an appropriate jurisdiction, if the petitioners so desire.

This contempt application is accordingly disposed of.

**( I. P. Mukerji,J.)**

**(Subhendu Samanta,J)**