

Item No.282
14.03.2024
Court. No. 19
GB

CPAN 254 of 2024
In
CO 2512 of 2023

Abhijit Das
VS
Aswini Kumar Das & Anr.

Mr. Abhijit Das

... Petitioner (In-person).

*Mr. Debanik Banerjee,
Mr. Aniruddha Ganguly*

...for the Alleged Contemnors.

The petitioner has filed this contempt application alleging that the learned District Judge, Alipore is not proceeding in the manner directed by this Court. The alleged contemnors, opposite parties in the Misc Case have also acted in violation of the order and committed contempt.

It appears that the time limit as fixed by the Court for disposal of the Misc Case, has not yet expired and in any event this application is misconceived.

The learned court is within his right to proceed in the manner he deems fit. He is the supreme in his court.

The order is quoted below:-

“Under such circumstances, this court is of the view that justice would be subserved, if the learned court below is directed to dispose of the said suit as also the pending application, on an urgent basis.

This court has neither gone into the merits of the application nor into the merits of the suit. An order of expeditious disposal of any litigation, enures to the benefit of all the parties. Hence, prior service of this revisional application upon the opposite parties, would not be necessary. The prayer is innocuous and very reasonable.

The revisional application is disposed of with a direction upon the learned court below to dispose of the pending suit along with the pending application

within a year from the next date fixed, without granting unnecessary adjournments to either of the parties and upon granting one last opportunity to the opposite parties to file written objection and to contest the proceedings. The learned court below shall proceed strictly in accordance with law and independently.”

The application is dismissed with cost of Rs.5,000/- , to be deposited in the office of the State Legal Services Authority, West Bengal within two weeks from date.

The contempt proceedings are dropped.

(Shampa Sarkar, J.)