

CPAN 442 of 2023
In
W.P.A. 2644 of 2022

Sri Naba Kumar Ghosh
Vs.
Mr. A.K. Arya

Ms. Susmita Dey Basu
...for the petitioner

Mr. Ajit Kumar Chaubey
Mr. Partha Sarathi Mondal
...for the alleged contemnor

Applicant alleges violation of the order dated 3rd January, 2023 passed by a coordinate Bench on the connected writ petition.

Affidavit-of-compliance has been filed wherefrom it appears that pursuant to the order dated 3rd January, 2023 alleged contemnor has passed order dated 3rd November, 2023 after granting opportunity of hearing to the applicant.

In view of the order passed by alleged contemnor on 3rd November, 2023 which is at page 15 of the affidavit-of-compliance it cannot be inferred that there is deliberate and contumacious violation of the order passed by the coordinate Bench on 3rd January, 2023.

Accordingly, the contempt application stands disposed of in view of the compliance of the order dated 3rd January, 2023 and contempt proceeding stands discharged.

However, this order shall not preclude the applicant to take steps in accordance with law against the order dated 3rd November, 2023, if so advised.

There shall be no order as to costs.

Urgent photostat certified copy of the order, if applied for, be given to the parties, upon usual undertakings.

(Saugata Bhattacharyya, J.)