

5th July,
2024
(AK)
05

WPCRC 102 of 2024
(CPAN 658 of 2024)
In
WPA 16190 of 2023

Shambhu Ranjak and another
Vs.
Shri Sharad Kumar Dwivedi

Mr. Jayanta Kumar Datta
...for the petitioners.

Mr. Anirban Ray
Mr. Sk. Md. Galib
Mr. Tanoy Chakraborty
Mr. Saptak Sanyal
...for the State.

Mr. Debjit Mukherjee
...for the WBSEDCL.

Mr. Jagabandhu Roy
Mr. Himadri Kumar Mohata
...for the alleged contemnor.

1. A reply to the show cause is filed in court today and be kept on record.
2. Learned counsel appearing for the alleged contemnor, apart from tendering unconditional apology for the delay in complying with the order of this court, further submits that the delay was occasioned, *inter alia*, due to an occupancy certificate which was sought from the petitioners by the alleged contemnor having not been handed over to the alleged contemnor in time.

3. As regards the refusal to accept the Rule of contempt, it is submitted that the same was by reason of misunderstanding.
4. The Rule was sought to be served in a torn envelope, for which the supervisor of the office of the alleged contemnor had refused to accept the same.
5. Thus, the matter was beyond the knowledge of the alleged contemnor.
6. However, it is insisted that even at that stage, the compliance of this order was ongoing, since the matter was being considered by the alleged contemnor.
7. It is submitted by both sides that in the meantime, the parent order has been complied with.
8. This court is satisfied with the explanation given by the alleged contemnor as to the delay in complying with the order of this court beyond the time stipulated in the parent order.
9. Hence, no useful purpose will be served in keeping the contempt Rule pending.
10. Accordingly, WPCRC 102 of 2024 is discharged and CPAN 658 of 2024 stands disposed of.
11. Further personal appearance of the alleged contemnor is dispensed with.

12. Needless to say, it will be open to the petitioners to challenge the decision taken by the alleged contemnor on merits before the appropriate forum.
13. There will be no order as to costs.
14. Urgent photostat copies of this order, if applied for, be given to the parties upon compliance of all requisite formalities.

(Sabyasachi Bhattacharyya, J.)