

Dd 14 07.10.2024

CPAN/688/2024

SMT. MINA ROY AND ORS
VS
DR. SAUMITRA MOHAN PRINPCIPAL SECRETARY
DEPARTMENT OF TRANSPORT AND ORS.
in
WP.ST/223/2011

SMT. MINA ROY & ORS.
VS
STATE OF WEST BENGAL & ORS.

Mr. Manas Dasgupta,
Mr. Moghjit Mukherjee, Advocates
... ... For the Petitioner

Mr. Tapan Kumar Mukherjee, Sr. Adv.AGP
Mr. Pinaki Dhole,
Mr. Somnath Naskar, Advocates
... ... For the alleged contemnors

1. Contempt petition relates to violation of an order dated September 20, 2023. Affidavits are complete in the contempt petition.
2. According to the State, all payments required to be made in terms of the order dated September 20, 2023, were paid.
3. According to the State, it calculated computation in a particular way and that they are entitled to do so.
4. View of the petitioner is different. According to the petitioner, computation was incorrectly done.
5. In contempt jurisdiction, we need not enter into the arena as to whether the calculation is correct or not. View taken by the State cannot be said to be contemptuous of the order directing payment.

6. In such circumstances, we **dispose of** CPAN 688 of 2024 in WP.ST 223 of 2011 by permitting the petitioner to agitate the point raised with regard to computation before the appropriate forum in accordance with law.

(Debangsu Basak, J.)

(Md. Shabbar Rashidi, J.)