

19.09.2024

Item No.1

Ct. No. 26

Bench
ID 265934
CHC

CRLCP 22 of 2024
CRM/39/2021

Smt. Mallika Das
Vs.
Sri Tapan Das

Mr. Abhra Mukherjee, Advocate
Mr. Soumen Bose, Advocate
Mr. Sauradeep Dutta, Advocate
Mr. Arpayan Mukherjee, Advocate
Mr. Swakshar Kumar Mondal
....for the petitioner

Mr. Pradyat Saha, Advocate
Mr. Amadipta Sengupta, Advocate
...for the contemnor/opposite party

1. Petitioners complain of violation of the order dated February 16, 2022 passed in CRM 39 of 2021.
2. Such order was passed while considering an application for cancellation of bail. We dismissed the application for cancellation of bail. We, however, noted that the private opposite party/alleged contemnor herein will pay to the petitioner month by month a sum of Rs. 20,000/- per month commencing from the month of January, 2022. First payment for the month of January, 2022 and February, 2022 was directed to be made by February 28, 2022 and for the subsequent months by the 15th of each month. We also clarified that, the Jurisdictional Court would be at liberty to fix the quantum and the period of maintenance.

3. Learned advocate appearing for the petitioner submits that, payment strictly in terms of the order dated February 16, 2022 is not being made.

4. We enquired from the learned advocate for the petitioner as to whether the Jurisdictional Court fixed the quantum and the period of maintenance or not. He submits that, it is yet to be done.

5. In the facts of the present case, we are not minded to invoke the jurisdiction under the Contempt of Courts Act, 1971 or Article 215 of the Constitution of India. The order notes that, the manner and the quantum of payment to be made.

6. Parties are granted liberty to take appropriate steps before the Jurisdictional Court.

7. In such circumstances, CRLCP 22 of 2024 is dismissed.

8. This order will not prevent the petitioner from taking appropriate steps before the appropriate forum.

(Debangsu Basak, J.)

(Bibhas Ranjan De, J.)