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20.06.2024  
d.p.

**In The High Court At Calcutta  
Special Civil Jurisdiction  
Appellate Side**

**C.P.A.N. 705 of 2022  
in  
W.P.A. 2656 of 2019**

**Smt. Mita Biswas  
-versus  
Prof. Jayasri Ray Chaudhuri**

**Mr. Syamal Kumar Das.  
Ms. Krishna Yadav.  
...For the Petitioner.**

**Mr. Somnath Ganguly,  
Mr. Bikash Goswami.  
Mr. Tapas Kumar Dey.  
... For the alleged contemnor.**

An affidavit has been filed by the alleged contemnor explaining the delay in complying with the order passed by the Court.

It appears from record that there has been a delay of nearly two years in complying the order passed by the Court. The explanation given by the contemnor does not appear to be satisfactory.

Nevertheless, unconditional apology has been sought for and certain reasons have been mentioned in support of the delay.

At this stage, the Court would like to put in a word of caution to the alleged contemnor and make it clear that if a party is aggrieved by any order that has been passed by the Court, the remedy is to approach the superior forum for relief. The party ought not to act

as a fence sitter and wait for the consequence in respect of some other matter and apply the same ratio in a disposed of case where a contempt proceeding is pending.

The alleged contemnor who is holding a responsible post ought to remain careful while dealing with the order passed by the Court.

The contempt application stands disposed of.

Urgent photostat certified copy of this order be supplied to the parties, if applied for, as early as possible.

**( Amrita Sinha, J.)**