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23.02.2024
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C.P.A.N. 761 of 2021
in
W.P.A. No. 24051 of 2019

Srikrishna Maity & Anr.
Vs.
Kartick Naskar

Ms. Rita Patra,
Ms. Pusmita Das
... for the petitioner

Mr. Indranil Ray,
Mr. Tapas Kumar Mondal
...for the alleged contemnor

1. Learned counsel for the petitioners submits that the representation-in-question was duly considered by the respondent-authorities in terms of the parent order dated January 13, 2020.
2. However, although in the representation there was no error, there was some error in the writ petition regarding the description of the property. It is submitted that such error has affected the final order taken on the representation.
3. Be that as it may, if the petitioners are aggrieved with the exercise of consideration with the representation and the outcome of the same on merits, it is open to the petitioners to prefer a fresh challenge against the same.
4. However, I do not see any reason why the contempt application has been filed, as the alleged contemnor has decided the representation upon

giving an opportunity of hearing to the petitioners specifically in terms of the order of this Court.

5. However, such frivolous contempt applications, adopted as a matter of course, ought to be deprecated.

6. Accordingly, C.P.A.N. 761 of 2021 is dismissed with costs of Rs.1000/- (Rupees One Thousand) to be paid by the petitioners to the alleged contemnor as a token deterrent to the petitioners not to file such frivolous applications in future.

7. Such costs shall be paid to the alleged contemnor within a week from date.

8. Urgent photostat certified copies of this order, if applied for, be made available to the parties upon compliance of all necessary formalities.

(Sabyasachi Bhattacharyya, J.)