

07
06.09.2024
Ct. No. 11
Jayanta

CPAN 1133 of 2014

Amina Khatun & Anr.

Vs.

A. Radha Rani & Anr.

in

WP.CT 365 of 2013

Mr. Achin Kumar Majumder

Ms. Ananya Adhikary

....For the Petitioners.

Mr. Pulakesh Bajpayee

**....For the alleged
contemnors..**

This contempt application has been preferred alleging wilful violation of the order dated 22nd August 2013, passed by a coordinate bench of this Court in WP.CT. 365 of 2013.

The operative portion of the order dated 22nd August, 2013 is quoted as follows:-

Therefore, we set aside the impugned order passed by the learned Tribunal and direct the respondent authorities to take up the matter of the petitioner no.2 with other Ministries/Departments/Offices of the Government of India in order to provide the said petitioner no. 2 employment on compassionate ground at an early date.

Mr. Majumder, the learned advocate representing the applicants, submits that the order was duly communicated to the alleged contemnors. However,

despite receiving a copy of the order, no effective steps have been taken to comply with it in both letter and spirit.

Mr. Bajpayee, the learned advocate representing the alleged contemnors, submits that Applicant No. 2 has passed away, for whom the appointment on compassionate grounds was prayed for. He further submits that an affidavit-in-opposition was filed on behalf of the alleged contemnors, and the documents annexed thereto would reveal that multiple correspondences were made in compliance with the order. However, due to the unavailability of a vacancy, applicant No. 2 could not be accommodated in any suitable post.

Heard the learned advocates perused the materials on record.

Indisputably, the applicant No. 2, for whom a compassionate appointment was sought, has since passed away. According to the documents attached to the affidavit-in-opposition to the contempt application, there is no evidence indicating a deliberate or wilful violation of the order dated August 22, 2013. Consequently, the contempt application is, thus, dismissed.

There shall, however, be no order as to costs.

Urgent certified photocopy of this order, if applied for, be supplied as expeditiously as possible

(Partha Sarathi Chatterjee, J.) (Tapabrata Chakraborty, J.)

