

20.08.2024
Item No.12
RP/AN
Ct. No.1

CPAN 1156 of 2024
Dipu Bar & Ors. vs. Sri Sumit Gupta
in
WPA(P) 340 of 2023

Mr. Rajdeep Bhattacharya
Mr. Sanjib Sankar Majumder
.... For applicant

1. This contempt application has been filed alleging willful disobedience of the order dated 17.07.2023 passed in WPA(P) 340 of 2023. The said writ petition was disposed of with the following direction.

“In the light of the above, without going into the merits of the allegations made by the petitioners against the private respondents, we direct the District Magistrate, South 24 Parganas, the 3rd respondent to consider the representation and investigate the matter, call for the necessary records, issue notices to the private respondents and all other concerned and after a thorough enquiry, pass appropriate orders on merits and in accordance with law.

In the event if it is found that public funds have been siphoned, the District Magistrate, South 24 Parganas is directed to take immediate remedial action in this regard and also initiate criminal proceeding against

those persons who have indulged in siphoning public funds.”

2. In terms of the direction the District Magistrate, South 24 Parganas has taken up the matter and has passed an order on 10.11.2023. Before the said date there were two hearings held on 17.07.2023 and 25.07.2023. In the said order the District Magistrate has issued certain directions. Since the order has been complied with, we find there is no contempt made out. The District Magistrate is directed to modify the order since there was an observation that criminal proceedings should also be initiated against the persons who are involved in siphoning of the fund. This observation and direction should be taken note of seriously and the District Magistrate shall do the needful as expeditiously as possible, preferably within 12 weeks from the date of receipt of the server copy of this order.
3. In the result, the contempt proceeding is disposed of.

(T. S. SIVAGNANAM)
CHIEF JUSTICE

(HIRANMAY BHATTACHARYYA, J.)