

M/L 384
10.05.2024
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IN THE HIGH COURT AT CALCUTTA
SPECIAL CIVIL JURISDICTION
APPELLATE SIDE

CPAN 1100 of 2023

In
WPA 4217 of 2013
Goutam Kanti Ghosh
Versus
Mayuri Vasu & Anr.

Mr. Ayan Banerjee
Ms. Debasree Dhamali
... For the alleged contemnors/
respondents.

1. On 19th April, 2024, Ms. Dhamali, learned advocate representing the alleged contemnors/respondents, submitted that during the pendency of the aforesaid contempt application a sum of Rs.28,441/- has been disbursed in favour of the applicant/petitioner. In support of her contention she had also placed Treasury Challan before this Court. On the said occasion, the contempt application was adjourned since, the applicant/petitioner was not represented.

2. Records reveal that by an order dated 28th March, 2023, this Court had directed the respondents forthwith re-compute and disburse the retiral dues payable to the applicant/petitioner along with all consequential benefits. Although, an appeal had been preferred therefrom, which was registered as MAT 1091 of 2023, by an order dated 18th December, 2023 the said appeal and the connected

applications were dismissed. Since then, the contemnors/respondents had filed to separate affidavits of compliance, both affirmed on 1st February, 2024 and had claimed that in terms of the order passed on 28th March, 2023, the entire retiral dues of the applicant/petitioner had been disbursed. Such fact would corroborate from the order dated 2nd February, 2024.

3. It would, however, be relevant to place on record that the applicant/petitioner had contended that the order dated 28th March, 2023 had not been complied with in its entirety. Since then, on 19th April, 2024, it was brought to the notice of this Court that a further sum of Rs.28,441/- has been disbursed in favour of the applicant/petitioner on account of interest for delayed payment.

4. Having regard to the aforesaid, and taking note of the payments made to the writ petitioner, I am of the view that nothing survives in the contempt application since the order dated 28th March, 2023 appears to have been complied with.

5. The contempt proceeding is dropped. The contempt application, being CPAN 1100 of 2023 is accordingly disposed of.

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

(Raja Basu Chowdhury, J.)