

CPAN 1391 of 2024
In
WPA 24665 of 2023

Mr. Khairul Alam

...for the petitioner

Learned counsel appearing on behalf of the petitioner submits as follows. By an order dated 2nd May, 2024 passed in WPA 24665 of 2023, this Court, *inter alia*, directed that till the attendance of the private respondent was secured or the process was successfully executed against the private respondent, he should not part with the two flats in question. In spite of this, the private respondent/husband donated once such flat to his daughter immediately after passing of such order. However, no copy of the order dated 2nd May, 2024 was communicated to the private respondent after passing of such order. It was under the presumption that the husband was aware of all the proceedings as he was served with notices earlier and thus, he must have known about the outcome.

It appears that although an order was passed in favour of the petitioners restraining the private respondent from parting with his two properties, the said order was not communicated to the private respondent/ husband.

Therefore, no action in contempt would lie on such

alleged violations of this Court's order as against the private respondent.

Accordingly, the contempt application is disposed of without any order even as to costs.

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

(Jay Sengupta, J.)