

11.07.2024

CPAN 1284 of 2023
In
WPA (P) 290 of 2022
Sk. Sabed Ullah & Ors.
Vs.
Mr. Purnendu Majhi

Mr. Bharat Chandra Simai

... ... for the applicants

Heard Mr. Bharat Chandra Simai, learned counsel
for the applicants.

This application for civil contempt under the Contempt of Courts Act, 1971 has been filed by Sk. Sabed Ullah, Sri Indu Bhusan Senapati, Sri Samir Panchadhyayi, Sri Asis Pradhan, Sri Gadadhar Das and Syed Arman Ali with the allegations in paragraphs 5 to 10 of the contempt application that the respondent no.3 of the writ petition being WPA(P) 290 of 2022 (Sk. Sabed Ullah & Ors. Vs. The State of West Bengal & Ors.) i.e. the Collector, Purba Medinipur has not passed order in compliance to the order dated 20.09.2022 passed by the Writ Court, despite the copy of the order was filed by the applicants before the respondent no.3/alleged contemnor and he was requested to pass the order in compliance to the aforesaid order of the Writ Court.

On these allegations, prima facie, a case of contempt is made out. But looking into the facts and circumstances of the case, it appears appropriate that the

respondent no.3 of the aforesaid writ petition/alleged contemnor of the present application, be given one more opportunity to comply with the order of the Writ Court dated 20.09.2022. Therefore, we dispose of this contempt application with the following directions :

- (i) In the event the respondent no.3 of the writ petition/alleged contemnor has passed an order in compliance with the order of the Writ Court dated 20.09.2022 in WPA (P) 290 of 2022 (Sk. Sabed Ullah & Ors. Vs. The State of West Bengal & Ors.) then copy of the order be communicated to the present applicants at their addresses given in the present application, by registered post/speed post, within two weeks from the date of submission of the certified copy of this order before the respondent no.3.
- (ii) In the event the respondent no.3 of the writ petition/alleged contemnor has not yet passed an order in compliance to the order dated 20.09.2022 passed by the Writ Court in WPA(P) 290 of 2022, then the respondent no.3 of the writ petition, i.e. the Collector Purba Medinipur shall pass order in compliance with the aforesaid order of the Writ Court dated 20.09.2022, within three months from the date of submission of the certified copy of this order before him by the applicants.

(iii) In the event the respondent no.3 of the aforesaid writ petition does not pass the order within the stipulated period aforesaid, then the applicants herein shall be at liberty to file fresh contempt application.

With the aforesaid directions, the present contempt application being CPAN 1284 of 2023 is disposed of.

(Surya Prakash Kesarwani, J.)

(Ajay Kumar Gupta, J.)