

28.07.2025
rpan/09

CPAN 86 of 2024
Sri Ganga Sagar Saha & Others
- *Versus* -
Amit Kumar Saha
in
WPA 3213 of 2023
+
IA No.: CAN 2 of 2023

Mr. Shambhunath Ray,
Ms. Tuhina Parvin,
Ms. Amrita Tewari
... for the petitioners/Applicants.
Mr. Syed Nazmul Hossain
Mr. Syed Nazirul Hossain
... for the Alleged Contemnor.

A purely private dispute found its way into the writ Court. The dispute is between the petitioners/applicants and the private respondent/alleged contemnor, all related to each other, in fact, they are brothers.

The dispute is around a partnership firm engaged in a fair price shop business, of which the brothers are all partners.

The order of which contempt is alleged, passed on 19th September, 2023 merely gave an opportunity to the brothers to settle their dispute amicably in order to enable the Sub-Divisional Controller, Food & Supplies for renewal of licence and in the event such application for renewal was made, the same should be considered by the concerned authority (Sub-Divisional Controller, Food & Supplies, Chanchal) in accordance with law. There is no direction from the Court that the parties

should act in any particular manner or that all parties ‘must’ settle their dispute. It is merely a direction that the brothers should take the opportunity to settle their dispute.

Mr. Ray, learned senior advocate appearing for the petitioners argued that the contemnor/private respondent no.5 in the writ petition is not willing and/or has not come for settlement talks, thus, disabling the entire process leading to an application for renewal of the licence.

Since there is no direction on the alleged contemnor/private respondent no.5 in the writ petition nor could there have been any direction to settle the dispute, I find that there is no act of contempt or any wilful disobedience leading to a contumacious act of any violation or direction of the Court.

In view of the aforestated, the contempt petition and the application, being IA No.: CAN 2 of 2023, are, thus, dismissed.

However, dismissal of the contempt petition will not stop nor create a hindrance on the brothers to take appropriate steps to settle their dispute, if they so desire.

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

Urgent photostat certified copy of this order, if applied for, be supplied to the parties, upon compliance of all requisite formalities.

(Reetobroto Kumar Mitra, J.)