

04.09.2025

Court No.39

DL/Item No.-**16**

[Milan, A.R. (Ct.)]

**IN THE HIGH COURT AT CALCUTTA
Special Civil Jurisdiction
(Contempt)
Appellate Side**

**CPAN 94 of 2022
In
WPA 11747 of 2020**

**Md. Kabiruddin Ahammed
versus
Md. Meser Ali & Ors.**

Mr. Debashis Banerjee,
Mr. Subrata Saha,
Mr. Rakesh Jana
....for the Applicant/Petitioner

Mr. Sk. Md. Galib, Sr. Adv.,
Ms. Sujata Mukherjee
....for the Alleged Contemnor No.1

Mr. Manas Kumar Das,
Mr. Aritra Kumar Thokdar
....for the Alleged Contemnor Nos.2 to 4

After considering the exception filed by the petitioner and affidavit filed on behalf of the concerned police station and this filed by the alleged contemnors, it appears that there is a difference in the version of the petitioner, the alleged contemnors and the local police authorities, which are factual in nature.

In a contempt jurisdiction, these factual issues cannot be gone into when there appears to be a

necessity of passing a fresh order over and above the order which has been passed and being the subject matter of the contempt application which is not restricted to the directions given to comply with the order of contempt.

In the aforesaid facts and circumstances, the contempt application being CPAN 94 of 2022 is disposed of without any further order.

However, disposing of the contempt application will not prevent the petitioner from applying before the appropriate Forum for necessary orders and/or directions, which as observed hereinabove cannot be passed in exercise of contempt jurisdiction.

Urgent photostat certified copy of this order, if applied for, be given to the parties upon compliance of all necessary formalities

(Arindam Mukherjee, J.)