

Court No. 38

21.11.2025

(Item No. 15)

(AB)

In the High Court at Calcutta
Constitutional Writ Jurisdiction
Appellate Side

C.P.A.N. 349 of 2025
in
W.P.A. 25046 of 2023
+
I.A. CAN 1 of 2023
+
I.A. CAN 2 of 2024
+
I.A. CAN 3 of 2024
+
I.A. CAN 4 of 2024
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I.A. CAN 5 of 2024
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I.A. CAN 6 of 2024
+
I.A. CAN 7 of 2025
+
I.A. CAN 8 of 2025

Deepak Kejriwal

VS

Mr. Nikhil Nirmal, the Managing Director and
Executive Director-in-charge, WBSIDCL & Anr.

Mr. Indranil Roy, Ld. Sr. Adv.

Mr. Ayan Banerjee

Ms. Utsa Dutta For the petitioner

Mr. Jayanta Kumar Mitra, Ld. Sr. Adv.

Mr. Samrat Sen

Mr. Mahendra Prasad Gupta

.... For the alleged contemnors

In Re: **CPAN 349 of 2025**

This is an assigned contempt application.

This is a contempt proceeding arising from an
order dated **January 14, 2025**.

The contempt proceeding and its genesis
thereof has a checkered history but the records of the
proceeding would show that there is a glaring act of
contempt. Despite there being an interim order dated

October 18, 2023 at **page 21** to the contempt application with a specific direction that possession the writ petitioners should not be disturbed till **December 15, 2023** and ultimately the said interim order was extended from time to time and the last extension was on **January 14, 2025** at **page 25** to the contempt application, when the interim order was extended until further order, even then the petitioner was dispossessed and the possession was taken by the alleged contemnors.

The interim orders and its extension was ultimately tested before the Hon'ble appellate Court and had sustained.

Pursuant to the direction made by a co-ordinate bench on **February 26, 2025** the possession had been restored in favour of the petitioners. The said order was also tested before the Hon'ble Division Bench and ultimately sustained.

Considering the submissions made on behalf of the parties and considering the records in this proceeding, this Court is of the considered view that elaborate discussions on facts are not necessary, as the act of contempt is glaring on the face of record.

It is no doubt that the direction of this Court should have been the foremost consideration for the alleged contemnors to uphold the majesty and dignity of the institution. It is equally true, on facts of this case, that possession has been restored by the alleged

contemnors, so considering the seriousness of the ultimate punishment in a contempt proceeding, it is also within the domain of the Court to consider the subsequent events and then to take its decision judiciously.

In view of the above, this Court is of the considered and firm view that, act of contempt has definitely taken place on the part of the alleged contemnors.

The contemnors even if, in the considered opinion of this Court, are not punished with imprisonment, as provided for the act of contempt but definitely fine has to be imposed upon the contemnors, which is also provided under the law of contempt.

In view of the above, both the alleged contemnors shall pay the fine for sum of **Rs.1,00,000/- each** in favour of the **West Bengal State Legal Services Authority** positively **within two weeks from date**. The contemnors shall produce the copy of the money receipts evidencing payment of fine before the Learned Advocate on record for the petitioner.

Subject to payment of the aforesaid sum by both the contemnors, they shall be purged from the guilt of contempt and the instant contempt proceeding being **CPAN 349 of 2025** shall be **dropped** and **closed**.

The application being **CPAN 349 of 2025** accordingly stands **disposed of** on the above terms.

In the event, the fine is not paid by the contemnors, as directed above, the contempt proceeding shall automatically receive and the petitioner shall mention the matter.

(Aniruddha Roy, J.)