

Dd 3 11.09.2025

CPAN/563/2025
RUPAK MANDAL
VS
SRI SIDDHARTHA MAJUMDER AND ANR.
In
MAT/2464/2023
RUPAK MANDAL
VS
SK. HOSSAIN ALI AND ORS.

Mr. Shamim Ul Bari, Advocate
... .. For the Petitioner

1. Petitioner complains of violation of the order dated July 29, 2024 passed by the Division Bench.
2. Contempt petition is specially assigned to this Bench. Judgment and order dated July 29, 2024, violation of which is complaint of in the present contempt petition, forms the order dated August 25, 2022 passed by the learned Single Judge.
3. In view of the Special Bench decision reported in **2023 SCC OnLine Cal 1152 [Sailesh Kumar vs. Smitha R., IAS and Anr.]**, the present contempt petition is required to be moved before the learned Single Judge. In this regard, reference may be made to paragraph 22 of **Sailesh Kumar (supra)**.
4. Since, the present application for contempt was filed before the Division Bench prior to **Sailesh Kumar (supra)**, it would be appropriate to permit the petitioner to approach the learned Single Judge for appropriate relief. In the event, an application is filed within 7 days from date, the same may be considered to be continuation of this contempt proceeding for the purpose of calculation of limitation.

5. CPAN/563/2025 is **disposed of** accordingly.

(Debangsu Basak, J.)

(Shampa Dutt (Paul), J.)