

CPAN/403/2024
in
MAT 2064 of 2023

Aloke Kumar Bhattacharya
Versus
Mrs. Natasa Dasgupta,
Principal of Krishnanagar Women's College

Mr. Syed Arif Ahmed, Adv.
...For the Contempt Applicant

Mr. Sunit Kr. Roy, Adv.
Ms. Susmita Mondal, Adv.
...For the Contemnor

1. This contempt application has been filed alleging wilful disobedience of the order dated 3rd January, 2024 in MAT/2064/2023. The said appeal was disposed of by issuing the following direction:-

"7. Considering the peculiar facts and circumstances of the case, though the reasoning given by the learned writ Court cannot be faulted, we are of the view that since the appellant takes a specific stand that a sum of Rs.55,000/- has not been paid to him or transferred to his bank account, we grant liberty to the appellant to submit a detailed representation to the respondent/college. Such representation alongwith the statement of accounts shall be presented before the Secretary/Principal of the College by the appellant by going over to the college in person. If that representation is submitted, the same shall be considered and if the college authorities have proof to show that the amount of Rs.55,000/- has been transferred to the appellant's bank account, copy of such acknowledgement or bank statement be furnished to the appellant/writ petitioner alongwith an appropriate reply. The appellant is directed to submit such representation within two weeks from the date of receipt of server copy of this order and the same shall be considered in terms of the above

direction by the respondent/college within a period of two weeks thereafter.”

2. When contempt application was heard on 26th June, 2024, we directed the learned advocate for the applicant to serve notice on the learned advocate appearing for the respondent. Accordingly, notice was served and the respondent is represented by the learned advocate who has produced bunch of documents which are communications along with other annexures sent to the applicant on 20th March, 2024.
3. On a cursory view of those documents it appears that the respondent college has taken its stand that the claim made by the applicant has not been substantiated.
4. Thus, it is for the applicant to establish and substantiate his claim before the appropriate authority and the Writ Court is not the appropriate authority here.
5. Hence, there is no ground to initiate any contempt proceeding and accordingly, the contempt proceeding is dismissed.

(T.S. Sivagnanam)
Chief Justice

(Supratim Bhattacharya, J.)