

S/L 4
01.07.2025
Court. No. 19
Sourav

CPAN 452 of 2025
In
WPA 9460 of 2022
Pradip Kumar Das
Vs.
Shri Dhaval Jain

Mr. Krishna Das Poddar

...for the petitioners.

Mr. Alok Kr. Ghosh
Mr. Arijit Dey

...for the alleged contemnor.

1. The writ petitioner and the alleged contemnor are represented by their respective learned advocates.
2. Mr. Dey, learned advocate duly led by Mr. Ghosh, learned advocate appearing on behalf of the alleged contemnor has filed a photocopy of the minutes of the resolution dated 08.05.2025 as taken by the alleged contemnor and the same is taken on record. A copy of the said minutes has been handed over to Mr. Poddar in Court today.
3. Mr. Poddar, learned advocate appearing on behalf of the writ petitioner in course of his submission vehemently contended that the judgment and order dated 06.02.2024 as passed by this Court in WPA 9460 of 2022 has not at all been complied with.
4. It is further argued that even the alleged contemnor failed to meet up the time line as fixed by this Court. It is further submitted by Mr. Poddar that the failure on the alleged contemnor should be viewed seriously and no lenient views may be taken against the alleged contemnor.

5. Mr. De, however, submits before this Court that from the copy of the minutes dated 08.05.2025, it would reveal that the order as passed by this Court has been duly complied with. It is, however, submitted by Mr. De that due to unforeseeable error, some delay occurred in taking the resolution in the meeting and the delay, if there be any, on the part of the alleged contemnor be condoned.
6. On careful consideration of the entire materials as placed before this Court and after hearing the learned advocates for the contending parties, this Court is of considered view that by virtue of the minutes dated 08.05.2025, the alleged contemnor has substantially complied with the judgment and order dated 06.02.2024 as passed by this Court.
7. Admittedly, there occurred a delay in compliance on the part of the alleged contemnor. However, this Court considers that same might have occurred on account of redtivism in discharging the duty of the K.M.C. authority and the same is thus condoned.
8. With the aforementioned observations, the instant contempt application being **CPAN 452 of 2025** is disposed of.

(Partha Sarathi Sen, J.)