

06.04.2026

Item no.7

Ct. no.14

gd

**IN THE HIGH COURT AT CALCUTTA
SPECIAL CIVIL JURISDICTION
APPELLATE SIDE**

CPAN/1976/2025

NILIMA MUKHERJEE AND ANR.

VS

ASIS CHATTERJEE AND ANR.

in

WPA/6344/2023

NILIMA MUKHERJEE AND ANR.

VS

STATE OF WEST BENGAL AND ORS.

Mr. Partha Pratim Ray

Mr. Sarbananda Sanyal

Ms. Poulami Chakraborty

Mr. Chandan Mondal

... for the Applicants/Petitioners.

Mr. Supratim Dhar, Id. Sr. Adv.

Mr. Dhananjay Nayak

Mr. Kaustav Banerjee

...for the alleged Contemnors.

1. Mr. Supratim Dhar, learned senior advocate appearing for the alleged contemnors (respondent nos.7 and 8 in the writ petition) submits that although the Hon'ble Division Bench in FMA 430 of 2025 has affirmed the order passed by this court in W.P.A 6344 of 2023. However, in para 15 it has directed that the deposit will be subject to outcome of 3H(4) proceeding as well as probate proceeding which is a modification to the order passed by this court. In view of such modification, doctrine of merger applies and the contempt proceedings is to

be pursued before the Hon'ble Division Bench. To buttress his contention, he relies on the decision of Hon'ble Division Bench in ***Baishakhi Bhattacharyya (Chatterjee) & Ors. v. Shri Binod Kumar, The Principal Secretary, Department of School Education & Ors. (Re: CPAN 621 of 2025 in WPA 30649 of 2016)***.

2. Mr. Sarbananda Sanyal, learned advocate appearing for the applicants/petitioners submits that the contempt application is very much maintainable before this court. He relies on the decision of Hon'ble Supreme Court in ***United Labour Federation v. Gagandeep Singh Bedi*** passed in ***SLP (Civil) No.20428 of 2023***.
3. Mr. Dhar, learned senior advocate appearing for the alleged contemnors seeks accommodation to place his replies.
4. List this matter on **16th April, 2026**.

(Bivas Pattanayak, J.)