

CPAN 751 of 2025
in
WPA 17478 of 2022

Dipta Sen & Ors.
Vs.
P.K. Mishra (Prabhat Kumar Mishra) & Ors.

Mr. Falguni Bandyopadhyay
Ms. Riya Ballav

.....for the applicants/ petitioners

The instant contempt application has been preferred by the petitioners for willful and deliberate violation of order of this Court dated January 3, 2025 passed in WPA 17478 of 2022.

Having heard the learned counsel for the petitioners, it appears that by passing the order under contempt, this Court directed the concerned State-authority to consider the representation of the petitioner and implement necessary pay structure and other terms and conditions of service of the petitioners by virtue of Memo No. 557 dated September 2, 2010.

It is the contention of the petitioners that though the petitioners have made the representation within four weeks from the date of passing of this order, but the concerned authority has passed a so called reasoned order only on 24th of April, 2025. He submits that the time schedule as framed by the Court was not followed by the authority, thus they have deliberately violated the order of this Court. He further submits that the concerned authority has entered into and passed the reasoned order abruptly without following the direction of this Court.

Having heard the learned counsel for the petitioners it appears that the authority concerned has passed a reasoned order which, in view of the petitioners is itself violating the order and direction of this Court.

In contempt jurisdiction, this Court cannot deal with the merit of the so called reasoned order passed by the concerned authority on 24th of April, 2025, rather the petitioners have a new cause of action to challenge the said order which is violating the dictum of a Court.

Under the above observation, the instant contempt application is hereby disposed of with liberty to the petitioners to take appropriate proceeding in respect of the cause of action which arose by passing the reasoned order of the concerned authority dated 24th of April, 2025.

I make it clear that the petitioners on the said proceeding to be filed against the reasoned order dated 24th of April, 2025, they can demonstrate that the so called reasoned order was passed in violation of time schedule as fixed by this Court.

Under the above observation, the instant contempt application is disposed of.

(Subhendu Samanta, J.)