

MI- 12.12.2025
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WPCRC 425 of 2015
In
W.P.A. 8477 of 2003
(IA NO: CAN 1/2003 (Old No: CAN 6073/2003))

Pradip Jaiswal & Ors.
-vs-
Shubhanjan Das & Anr.

With
CPAN 537 of 2022

Ms. Reshmi Ghosh,
Ms. Parna Mukherjee

....for the applicants.

Mr. Supratim Dhar,
Mr. Amritalal Chatterjee

....for the alleged contemnors.

In re: WPCRC 425 of 2015

1. The contempt application is heard in presence of the learned advocates representing the applicants and the alleged contemnors.
2. In the contempt application it is alleged that order of a coordinate Bench dated 7th March, 2014 passed in WPA 8477 of 2003 is violated.
3. During course of hearing judgment of the Hon'ble Division Bench dated 27th November, 2025 delivered on an intra court appeal being FMA 356 of 2018 (The District Magistrate & Collector, Howrah & Ors. v. Shanti Devi Jaiswal, since deceased, represented by her heirs and legal representatives Sri Pradip Jaiswal & Ors.) is placed

before this Court and same is taken on record.

4. On perusal of paragraph 46 of the said judgment dated 27th November, 2025 it appears that appeal being FMA 356 of 2018 was partially allowed thereby modifying the judgment and order dated 7th March, 2014 passed by the coordinate Bench on the connected writ petition.
5. In view of modification of the judgment and order dated 7th March, 2014 passed by the coordinate Bench contempt application is not maintainable before this Court on applying doctrine of merger.
6. Hence, contempt application is dismissed as it is found not maintainable before this Court.
7. However, this order shall not preclude the applicants to take steps in accordance with law in the event judgment and order of the Hon'ble Division Bench dated 27th November, 2025 is not complied with.

In re: CPAN 537 of 2022

8. In view of the order passed in WPCRC 425 of 2015, CPAN 537 of 2022 is also dismissed with leave to take steps in accordance law in the event judgment and order of the Hon'ble Division Bench dated 27th November, 2025 is not complied with.

(Saugata Bhattacharyya, J.)