

8th December,
2025
(AK)
01

CRC 21 of 2025
in
FA 268 of 2025

Savita Dutt
Vs.
Kamal Kumar Dutta

Mr. Sandip Ghosh
Mr. Debayan Ghosh

...for the petitioner.

Mr. Arka Mondal

...for the alleged contemnor.

1. The contemnor has been personally brought to court by the concerned police authorities as per the warrant of arrest issued by this court in terms of a Rule, previously issued for contempt of court by way of willful and deliberate violation of the order dated April 8, 2025 passed in IA No: CAN 2 of 2019 (Old No: 6346 of 2019) in connection with FAT 299 of 2019 whereby the contemnor was directed, *inter alia*, to pay current alimony at the rate of Rs.10,000/- per month starting from April, 2025.
2. Arrears of alimony, calculated at the rate of Rs.10,000/-, from July, 2019 till March, 2025 was also directed to be paid to the appellant/wife by the respondent/husband (contemnor) by six equal monthly instalments, payable by the end of each month.

3. The first of such instalments was to be paid by April 30, 2025 and thereafter by the end of each succeeding month.
4. Over and above the aforesaid amounts, the respondent/husband (contemnor) was also directed to pay to the appellant/wife litigation costs of Rs.20,000/- within May 31, 2025.
5. However, despite such directionw, the contemnor himself admits before us that Rs.50,000/- in aggregate has been paid by him.
6. Moreover, in gross defiance of the Rule issued by us in connection with the contempt application, the contemnor avoided to appear before this court on the returnable date, due to which we were compelled to issue a warrant of arrest for the contemnor to be brought personally to court.
7. Learned counsel for the petitioner submits that for such similar recalcitrant attitude on the part of the contemnor on a previous occasion, a coordinate Bench also had to direct production of the contemnor in court by issuance of warrant of arrest.
8. Thus, the defiance of the order of this court by the contemnor is palpable and willful.
9. We do not see any mitigating circumstance, since in the event the contemnor was aggrieved by the order passed by this court, several avenues were open before the contemnor, either to file a review

application or to go up in challenge before a superior forum, if financially indigent, through Legal Aid Services.

10. However, the contemnor having not done so on the one hand and on the other, having deliberately and willfully flouted the directions of this court, no option is left to the court but to penalize the contemnor for such deliberate defiance of the order of this court.
11. Accordingly, the contemnor be taken to custody immediately and be put behind the bars.
12. The contemnors shall remain in incarceration for a period of one month from date, subject to requisite subsistence expenses being paid by the petitioner.
13. The Rule, being CRC 21 of 2025, is accordingly made absolute in the light of the above observations.
14. It is made clear that nothing in the above order shall prevent the appellant/wife to have the order dated April 8, 2025 implemented through execution by due process of law.

(Sabyasachi Bhattacharyya, J.)

(Uday Kumar, J.)