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21.03.2025
Court no.551
SM

CPAN 981 of 2023
In
WPA 9061 of 2019

Debashis Adak
Vs
Mr. Arghya Ghosh

Mr. Rejaul Alam
Mr. Subir Sabud

... for the applicant/petitioner

Mr. Susovan Sengupta
Mr. Subir Pal

... for the contemnor

1. The contemnor Mr. Arghya Ghosh, the B.D.O., Kolaghat Block, District- Purba Medinipur is present today in person and he is represented by his learned advocate Mr. Sengupta. Mr. Sengupta has handed over an order dated 18.03.2025 as passed by the B.D.O., Kolaghat Development Block on 18.03.2025.
2. Let the said order dated 18.03.2025 be taken on record.
3. It is submitted by Mr. Sengupta that pursuant to the judgment and order as passed by this Court on 01.12.2022 in WPA 9061 of 2019 as well as in terms of the order dated 17.03.2025 as passed in the instant contempt application, the contemnor had served a notice dated 07.12.2022 upon the writ petitioner and the private respondents and gave adequate

opportunity of hearing on 14.12.2022 at 3 P.M.

4. It is further submitted by Mr. Sengupta that from the said order dated 18.03.2025 it would reveal that thereafter a joint field visit was done on 02.12.2022 when the writ petitioner was found absent though he was communicated about such joint field visit over telephone. It is further submitted by Mr. Sengupta that though there occurred a delay in passing the reasoned order but the order as has been passed by this Court in WPA 9061 of 2019 on 01.12.2022 has been fully complied with.
5. Mr. Sengupta further submits that delay, if there be any of the part of the contemnor may be condoned and the report may be accepted as a due compliance of the said judgment and order dated 01.12.2022.
6. Per contra Mr. Alam however disputed the contention of Mr. Sengupta. It is submitted by him that the writ petitioner was not informed with regard to any joint field visit. He further submits that the reasoned order was not passed in his presence.
7. On careful consideration of the entire materials as placed before this Court and after hearing the Learned Advocates for the contending parties this Court finds sufficient

justification in the submission of Mr. Sengupta inasmuch as in the judgment and order dated 01.12.2022 as passed in WPA 9061 of 2019 this Court directed the present contemnor to consider the said writ petition as a representation of the writ petitioner and further directed to pass a reasoned order after giving an opportunity of hearing to hear the writ petitioner and the private respondents.

8. From the said judgment and order it reveals further that this Court never directed the present contemnor to pass a reasoned order after securing the presence of the petitioner and the private respondents. This Court thus finds that the contemnor has duly complied with the judgment and order dated 01.12.2022 as passed in WPA 9061 of 2019 though the reasoned order was passed at a very belated stage. This Court thus accepts the report as filed today towards full compliance of the judgment and order dated 01.12.2022 as passed in WPA 9061 of 2019.
7. In view of the discussion made hereinabove, the instant contempt petition is hereby disposed of. Mr. Arghya Ghosh, the B.D.O. Kolaghat Block District- Purba Medinipur is discharged from the contempt rule as issued by this Court and his personal appearance is also dispensed

with in connection with the instant contempt application.

(Partha Sarathi Sen, J.)