

10th January,
2025
(AK)
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C.P.A.N 1363 of 2024
in
WPA 1977 of 2023

Hrikesh Safui
Vs.
Mr. Goutam Singha Roy

Mr. Lakshmi Nath Bhattacharya
...for the petitioner.

Mr. Sudipto Panda
Mr. Subrata Ghosh
...for the alleged contemnor.

1. Learned counsel for the petitioner submits that the order of this court dated February 7, 2024 passed in WPA 1977 of 2023 was violated by the alleged contemnor insofar as in the said order, this court had directed the alleged contemnor to consider the representation of the petitioner and carry out the necessary rectification in its records by scrutinizing the deed actually presented for registration by the petitioner.
2. Such exercise was to be concluded within three weeks from the date of communication of the order.
3. Learned counsel for the alleged contemnor hands over a copy of a decision taken on April 15, 2024 by way of a reasoned order, thereby disposing of the representation of the petitioner.

4. Although the petitioner alleges that the said order was not communicated to the petitioner, fact remains that, although beyond the time stipulated in the order of this court, the alleged contemnor has complied with the order of this court by deciding on the representation of the petitioner and passing a reasoned order thereupon.
5. Since the alleged contemnor took a decision in the said reasoned order not to carry out the rectification as sought by the petitioner on grounds cited in the said order, it would be beyond the jurisdiction of the contempt court to look into the veracity or legality of such order.
6. In any event, the direction in the parent order for the alleged contemnor to carry out the necessary rectification was evidently subject to the decision taken by the alleged contemnor on the representation of the petitioner.
7. Thus, I find no reason to continue with the present contempt application, since the order of this court has been substantially complied with by the alleged contemnor by considering the representation of the petitioner and taking a decision thereon by a reasoned order.
8. In the event the petitioner is dissatisfied with the said order dated April 15, 2024 on merits, it is

always open to the petitioner to challenge the same before the appropriate forum/court.

9. Accordingly, CPAN1363 of 2024 is disposed of as infructuous.
10. The document handed over in court today by learned counsel for the alleged contemnor be kept on record.
11. There will be no order as to costs.
12. Urgent photostat copies of this order, if applied for, be given to the parties upon compliance of all requisite formalities.

(Sabyasachi Bhattacharyya, J.)