

113 26-06-2025
AKG
Ct. 15

CPAN 1708 of 2024
in
WPA 10326 of 2019
Ramkrishna Ray & Ors.
Vs.
Smt. Rachna Shah & Ors.

Mr. Asim Hati,
Ms. Nandini Sharma,
Mr. Antariksha Karmakar
...for the Applicant

Mr. Pramod Kumar Drolia,
Mr. Santosh Kumar Pandey
...for the Contemnor Nos. 1 & 2

Mr. Dibashis Basu,
Mr. Joydip Banerjee,
Mr. Soumik Ghosh,
Mr. Sounak Chatterjee,
Mr. Arun Bandyopadhyay
...for the Contemnor Nos. 3 & 4

Mr. Kausik De,
Ms. Mohini Majumdar,
Mr. Roshan Pathak
...for the alleged Contemnor No. 7

Let the names of Mr. Dibashis Basu, learned advocate appearing for the contemnor nos. 3 & 4 and Mr. Pramod Kr. Drolia, learned advocate appearing for the contemnor nos. 1 & 2 be recorded in the order dated June 24, 2025.

This is an application for the alleged violation of the judgment and order dated February 21, 2024. The operative part of the judgment and order is quoted below:

“14. Admittedly, the respondents 1 to 6 have failed to file any affidavits resisting the writ petition. Taking into consideration the averments set out in the writ petition and since the earlier representation of the petitioners is pending with the respondent authorities for nearly five long

years, in the interest of justice, it would be appropriate to direct the respondent to consider the petitioner's representation dated 9.04.2019 and to pass appropriate order respectively in favour of the petitioner within a stipulated time.

15. In view of the above, this Court is inclined to pass the following orders:

(i) The writ petition is disposed of.

(ii) The respondents are directed to pass appropriate speaking order by giving fair opportunity to the petitioner on the petitioner's representation dated 9.04.2019.

(iii) The said exercise shall be done within a period of twelve weeks from the date of receipt of this order by considering the petitioner's long pending grievance."

It is not in dispute that in terms of the said order dated February 21, 2024, the alleged contemnor has passed a speaking order dated November 8, 2024, and communicated the same to the petitioner.

Mr. Asim Hati, learned advocate appearing for the petitioner submits that the speaking order dated November 8, 2024, is not in conformity with the judgment and order

dated February 21, 2024.

He further argues that the learned Judge directed the authorities to pass appropriate order respectively in favour of the petitioners, but the concerned authority has passed against the petitioner thereby rejecting his prayer.

In my view, there is no scope to read the words “in favour of the petitioners” in isolation to the directions contained in paragraph 15. Paragraph 15 (2) makes it clear that the respondents were directed to pass appropriate speaking order giving an opportunity of hearing to the petitioners.

In that view of the matter, I am not inclined to entertain this contempt application.

Accordingly, **CPAN 1708 of 2024** is disposed of.

Needless to mention that this shall, however, not preclude the petitioners from challenging the order dated November 8, 2024, in accordance with law.

Urgent certified *website* copies of this order, if applied for, be made available to the parties upon compliance with the requisite formalities.

(Kausik Chanda, J.)