

24.01.2025
Item No.17
PG
Ct. No.7

C.P.A.N. 1787 of 2024
In
W.P.A. 589 of 2024
Sk. Mustak Ali
Vs.
Chandra Sekhar Jaulia.

Mr. Soumen Kr. Dutta
Mr. Subham Dutta
.....For the Petitioner

Mr. Swapan Banerjee
Mr. Soumen Chatterjee
.....For the Alleged Contemnor

1. This is an application alleging willful and deliberate violation of the order dated September 5, 2024 passed in W.P.A. 589 of 2024.
2. Mr. Banerjee, learned advocate appearing for the alleged contemnor submits that the order and directions contained in the said order has already been complied with. He placed a Memo bearing No. 19/LS dated January 15, 2025 in support of his contention that the said order dated September 5, 2024 has been complied with.
3. In the said Memo, it has been stated as follows:

In pursuance of these orders, the Secretary of Metekona MAT Sr. Madrasah is requested to take necessary steps for the joining of the petitioner at the said Madrasah and release of salary as well as other benefits subject to the result of the disciplinary action against the petitioner Sk. Mustak Ali in accordance with law.”
4. The said Memo is taken on record.

5. Mr. Banerjee, learned advocate appearing for the alleged contemnor tenders apology for delayed compliance of the said order.
6. The apology tendered by the alleged contemnor through Mr. Banerjee is accepted.
7. Mr. Dutta, learned advocate appearing for the petitioner submits that pursuant to the said Memo dated January 15, 2025, the petitioner has joined the said Madrasah on January 17, 2025. Mr. Dutta further contends that due to the delayed compliance of the said order, the petitioner has suffered as he could join only on January 17, 2025 though the said order was passed long back i.e. on September 5, 2024.
8. Faced with such submission, Mr. Banerjee, learned advocate appearing for the alleged contemnor submits that necessary steps will be taken to ensure that the petitioner shall not suffer for the delayed compliance of the aforesaid order. Such submission of Mr. Banerjee is placed on record.
9. With the above observations/directions, the contempt application stands disposed of.
10. There shall be, however, no order as to costs.
11. Urgent photostat certified copy of this order, if applied for, be furnished to the parties expeditiously upon compliance of all legal formalities.

(HIRANMAY BHATTACHARYYA, J.)