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15.01.2025
Court No. 25
D.Hira

CPAN 1970 of 2024

Rabindranath Das
Vs.
Ayesha Rani, Chairman cum District
Magistrate, Purba Burdwan

In

WPA 26245 of 2024

Rabindranath Das
Vs.
State of West Bengal & Ors.

Mr. Allen Felix.
... for the applicant/petitioner

Mr. Amal Kumar Sen, Id. A.G.P.,
Mr. Lalmohan Basu.
... for the alleged contemnor

This is a contempt application filed by the applicant/petitioner challenging wilful and deliberate violation by the alleged contemnor of this Court's order dated November 20, 2024 passed in W.P.A. No. 26245 of 2024.

Mr. Allen Felix, learned counsel appearing for the applicant/petitioner submits that in spite of there being a direction of the Court for the respondent Regional Transport Authority to allow the petitioner to ply his vehicle, in terms of permit conditions already granted to him provisionally, the applicant/petitioner has been deliberately and forcefully restrained to ply his vehicle, in terms of Court's order as above.

Thus, the present contempt application has been filed.

It is noticed that the writ petition being WPA No. 26245 of 2024 is still pending for adjudication.

In the meantime, the Court has directed the respondent Regional Transport Authority, Purba Burdwan not to restrain petitioner's operation in any way.

Mr. Amal Kumar Sen, learned Additional Government Pleader representing the alleged contemnor, has submitted a report in Court today. The same is taken on record.

In accordance with the same, as regard the operation of vehicle of petitioner on the route "Burdwan Nababhat to Puratan Gram via Galsi, Adrahati, Gohagram", the petitioner is plying his vehicle without disturbance in spite of violating the condition of permit, by himself. It is submitted that the petitioner is following the reverse direction of route. That, no one has obstructed operation of his vehicle.

According to the submission of the learned counsel for the applicant/petitioner, he is being restrained in plying the vehicle on road.

However, to that effect, there is no averment on affidavit in the contempt application.

In such view of the fact and after perusing the report submitted on behalf of the alleged contemnor as above, the Court does not find any sufficient material as to the alleged wilful disobedience by the alleged contemnor of this Court's order as mentioned above.

Hence, finding no merit in the contempt application, the same is dropped.

Let the writ petition being WPA no. 26245 of 2024 appear under the heading "Adjourned Hearing" immediately.

The contempt application being CPAN No. 1970 of 2024 is disposed of.

(Rai Chattopadhyay, J.)