

31.03.2026
rc/ct.no.15
Item No.143

CPAN No. 256 of 2024
in
WPA No. 3539 of 2020
Kanailal Ghosh
Versus
Mr. Milind Deouskar & Anr.

Mrs. Susmita Dey Basu
Mr. Kaustav Ghosh
Mr. Antarik Dawn
...for the applicant/petitioner

Mr. Swapan Kumar Nandi
Mr. Rajesh Kumar Shah
Mrs. Ashima Roy Choudhury
...for the alleged contemnors

Learned counsel for the applicant/petitioner submits that despite submitting a comprehensive representation before the authority in terms of the order passed by this Court on July 27, 2023, no opportunity of hearing was granted to him. The concerned authority responded to the said representation by a letter issued on April 15, 2021.

It appears that vide order dated July 27, 2023, this Court granted liberty to the applicant/petitioner to submit a comprehensive representation before the alleged contemnor within three weeks from date. The alleged contemnor was directed to consider and dispose of the representation within two months from the date of receipt thereof upon granting reasonable opportunity of hearing to all the interested persons including the petitioner, in accordance with law. Pursuant to this order, the petitioner chose to send a demand notice to the alleged contemnor

through his learned advocate instead of submitting a comprehensive representation as directed by this Court. A demand notice can under no circumstances be equated with a comprehensive representation submitted by the applicant/petitioner. Since the applicant/petitioner failed to submit a comprehensive representation before the alleged contemnor in compliance with the order of this Court, the question of dealing with the same does not arise.

The contempt application is not maintainable and is accordingly dismissed.

However, on prayer of the applicant/petitioner, liberty is granted to submit a comprehensive representation before the 4th respondent in the writ petition in terms of the order passed on July 27, 2023.

(Suvra Ghosh,J)