07.10.2026
Sl. No.9(DL)
Ct. No.14
srm

IN THE HIGH COURT AT CALCUTTA
SPECIAL CIVIL JURISDICTION
APPELLATE SIDE

WPCRC 227 of 2026
CAN 1 of 2026
arising out of
W.P.A. No. 28313 of 2024

Mayurakshi Janakalyan Society
Versus
Shri Dhaval Jain, IAS, The District Magistrate & Collector, Birbhum

Mr. Dattatreya Dutta,
Ms. Ipsita Ghosh
... for the Applicant-Petitioner.

Mr. Rajdeep Mazumder, Ld. AAG
Mr. Arkaprava Sen,
Mrs. Sristi Barman Ray,
Mr. S. Mishra
... for the Alleged Contemnor.

1. The alleged contemnor, Shri Dhaval Jain, District Magistrate, Birbhum is present before this Court.

2. Affidavit-of-compliance filed on behalf of the alleged contemnor is taken on record.

3. Mr. Rajdeep Mazumder, learned Additional Advocate General submits that the order of this Court has duly been complied with and the alleged contemnor has disbursed the amount of Rs.18,40,000/-, as directed *vide* order dated 10th July, 2025. He seeks for discharge of the rule.

4. Mr. Dattatreya Dutta, learned Advocate appearing for the applicant-petitioner submits that the petitioner is entitled to outstanding amount of Rs.20,00,000/-. Therefore, the order of this Court has not duly been complied with in its letter and spirit. He also informs

this Court that pursuant to the liberty granted by this Court a comprehensive representation has also been submitted before the alleged contemnor.

5. In the writ petition being WPA 28313 of 2024, following direction was issued:

> *"Accordingly, respondent no.2, the District Magistrate and Collector, Birbhum, is directed to disburse the admitted amount of Rs.18,40,000/- in favour of the petitioners upon verification and scrutiny through the appropriate authority responsible over the matter, within two months from the date of communication of this order by the petitioners.*
>
> *So far as the disputed number of work orders and the amount are concerned, the petitioners are granted liberty to file a comprehensive representation annexing all the work orders and other relevant records before the respondent no.2, the District Magistrate & Collector, Birbhum who or any other appropriate authority delegated by him shall examine the same and pass a reasoned order in accordance with law within a period of three months from the date of submission of representation by the petitioners."*

6. Indisputably in compliance an amount of Rs.18,40,000/- has been disbursed by the alleged contemnor pursuant to the order passed in writ petition on 10th July, 2025.

7. The disputes which have been pressed into service on behalf of the applicant-petitioner that it is entitled to an outstanding amount of Rs.20,00,000/- is a fresh cause of action, which cannot be decided in the present contempt application.

8. In the above conspectus, the contempt application being **WPCRC 227 of 2026** stands disposed of.

9. Accordingly, the Rule stands discharged.

10. The personal appearance of the alleged contemnor is dispensed with.

11. On the prayer of the learned Advocate for the petitioner, leave is granted to file separate proceeding, if so advised, with regard to fresh cause of action as indicated hereinabove.

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12. This is an application filed by the alleged contemnor seeking for discharge of the Rule and dispensing with the personal appearance.

13. Since the aforesaid prayers have already been considered and allowed in the contempt petition, no further order need be passed in the instant application.

14. Accordingly, the application being **CAN 1 of 2026** stands disposed of.

(Bivas Pattanayak, J.)