

25.04
2022

W.P.C.R.C. 30 of 2016

Arising out of
W.P.A. 6 of 2015
Bidyut Kumar Mondal
-Versus-
Pankaj Sarkar & Anr.

Mr. Manowar Ali

...For the Applicant/Petitioner

Mr. Anirban Ray, Ld. G.P.

Ms. Chaitali Bhattacharya

...For the Alleged Contemnors

Mr. Anirban Ray, learned Government Pleader, appearing on behalf of the alleged contemnor No. 2, Pijush Kanti Bera, submits that an appeal has been filed bearing No. MAT 602 of 2022 against the order dated January 02, 2015.

On perusal of the records it appears that the original order was passed on January 02, 2015 and the contempt application was thereafter filed on October 15, 2015. In spite of the contempt application having been filed in 2015, no steps have been taken by the alleged contemnor for a period of seven years.

The malaise in the system of not challenging the orders, accepting the same and thereafter not complying with the same is seen in hundreds of matters that are being filed. The Authorities of the State choose not to comply with the order in blatant disregard of the orders passed by the High Court and drag their feet in the matter for years on end. When the Court presses for compliance of the order, the Court is informed that an appeal has either just been filed a few days back or is going to be filed immediately.

The present situation is akin to the above and the prayer of the Government Pleader seeking an adjournment in

this matter is deprecated by this Court.

The system requires change and unless costs are imposed upon the present alleged contemnor, I do not see any improvement taking place.

In the light of the same, this matter is adjourned for a period of four weeks and costs of Rs.25,000/- is imposed on the alleged contemnor for seeking the adjournment on grounds stated above.

The above cost should be paid to the High Court Legal Services Authority within a period of seven days from date.

Affidavit of compliance to be filed within a period of ten days.

Let the matter appear in the list on *May 05, 2022*.

Alleged contemnor No. 2 is personally present in Court today. Further appearance of alleged contemnor No. 2 is dispensed with until further orders. I make it clear that in the event, his presence is required, he shall appear as and when called for.

Learned Government Pleader is directed to take steps at a war footing to have the appeal and the stay application heard expeditiously.

(Shekhar B. Saraf, J.)