

ORDER SHEET

WEST BENGAL ADMINISTRATIVE TRIBUNAL

Present-

**The Hon'ble JUSTICE RANJIT KUMAR BAG
& The Hon'ble DR. SUBESH KUMAR DAS**

Case No –CCP 87 OF 2018 (OA 507 OF 2017)

Kumaresh Mondal Vs Sanjit Biswas, Executive Engineer, Agriculture.

Serial No. and Date of order. 1	Order of the Tribunal with signature 2	Office action with date and dated signature of parties when necessary 3
<p style="text-align: center;">03</p> <hr/> <p>27.02.2019</p>	<p><i>For the Applicant : Mr. G. P. Banerjee, Mrs. S. Agarwal, Learned Advocates.</i></p> <p><i>For the Contemnor O.P. : None</i></p> <p style="text-align: center;"><i>The applicant has prayed for issuance of contempt rule against the respondent/contemnor for wilful violation of order dated July 19, 2017 passed by this Tribunal in OA 507 of 2017.</i></p> <p style="text-align: center;"><i>The order passed by this Tribunal on July 19, 2017 was communicated to the respondents/contemnor under speed post on September 22, 2017. It was the duty of the respondent/contemnor to comply with the direction of the Tribunal within a period of 4 four weeks from the date of communication of the order under speed post on September 22, 2017. It is alleged that the order has not been complied with by the respondent/contemnor wilfully and the present contempt application is filed on September 17, 2018. The point for consideration of the Bench is whether the present contempt application is barred under Section 20 of Contempt of Courts Act, 1971.</i></p> <p style="text-align: center;"><i>Having heard Learned Counsel for the applicant and on consideration of the fact that the period of one year of</i></p>	

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Kumaresh Mondal

Form No.

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Vs.

The State of West Bengal & Ors.

Case No. **CCP 87 OF 2018 (OA 507 OF 2017)**

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<p>H.S</p>	<p><i>limitation under Section 20 of the Contempt of Courts Act, 1971 will be computed from the date on which the contempt is alleged to have been committed. In the instant case, the contempt is alleged to have been committed after expiry of 4 weeks from the date of communication of the order of the Tribunal under speed post on September 22, 2017. Since the contempt application is filed on September 17, 2018, we of the view that the present contempt application is not barred under Section 20 of the Contempt of Courts Act, 1971.</i></p> <p><i>Accordingly, the applicant is directed to serve copy of this order and copy of the contempt application along with annexure including the order passed in OA 507 of 2017 on the contemnor by name by speed post within a period of 4 (four) weeks and file affidavit of service in this regard on the next date of hearing.</i></p> <p><i>List the matter under the heading “Hearing” on 14.05.2019.</i></p> <p><i>Let a plain copy of the order be supplied to the applicant.</i></p> <p>(S.K.DAS) Member (A)</p>	<p>(R.K.BAG) Member (J)</p>
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