

14th July,
2022
(AK)
41-42

CPAN 229 of 2022
In
WPA 1674 of 2020
IA No: CAN 1 of 2021
with
W.P.A 21968 of 2019
IA No: CAN 1 of 2021

Sm. Mita Banerjee
Vs.
Shri Soma Sankara Prasad and others

Mr. Dilip Kumar Samanta
Mr. Biswapriya Samanta
...for the petitioner.

Mr. Soumen Das
Mr. Sourjya Roy
...for the alleged contemnors.

Mr. Vipul Kundalia
...for the respondent.

At the time when the matter is called on for hearing, learned counsel for the alleged contemnors seeks to file two affidavits-in-opposition.

However, it is submitted that the alleged contemnor no.1 had the audacity to have the affidavit-in-opposition affirmed through respondent no.2 instead of doing so himself.

It is well-settled that in a contempt application, if affidavits are to be used by the contemnors, each of the contemnors have to give separate explanations by way of separate affidavits.

However, the same having not been done, the alleged contemnors are given a last chance to affirm

separate affidavits by themselves and file the same when the matter is called on for hearing.

It is made clear that in the event the affidavit is not affirmed by each of the alleged contemnors personally, appropriate orders will be passed to deal with the contemnors.

The matter shall next be enlisted on August 4, 2022.

(Sabyasachi Bhattacharyya, J.)