

S/L 2
16.01.2025
Court. No. 551
Suvayan

**CPAN 496 of 2024
In
WPA 25121 of 2016**

**Sk. Obaidulla & Ors.
Vs.
Mr. Mrinmoy Ghosh & Ors.**

*Mr. Ekramul Bari
Mr. Md. Majnu Sk.*

...for the applicants/petitioners.

*Mr. T. M. Siddiqui, A.G.P.
Mr. T. Chakraborty
Mr. S. Adak*

...for the alleged contemnor nos. 1 and 3.

*Mr. Kamalesh Bhattacharya
Mr. Nadeem Sulaiman*

...for the alleged contemnor No. 2.

1. Pursuant to the rule issued by this Court the contemnor No. 2, Sk. Abdul Munna Ali, contemnor No. 4, Mr. Abid Hossain and contemnor No. 5, Mr. Satyajit Mondal appeared in-person before this Court.

2. Despite service of rule issued by this Court in this contempt petition Mr. P. B. Selim, the Principal Secretary, Minorities Development and Welfare and Madrasah Education, West Bengal did not appear in-person.

3. Mr. Siddiqui, learned Senior Counsel appearing on behalf of the respondents/State and its functionaries candidly submits before this Court that due to miscommunication the contemnor No. 3, Mr. P. B. Selim could not appear today before this Court. He, however, submits that on the adjourned date Mr. P. B. Selim would appear.

4. It is made clear that in the event Mr. P. B. Selim, the Principal Secretary, Minorities Development and Welfare and Madrasah Education, West Bengal do not appear on the adjourned date this Court shall pass appropriate order for securing his presence before this Court.

5. It is further submitted by Mr. Siddiqui, learned Senior Counsel that due to departmental latches there was delay in filing the appeal challenging the order as passed by this Court in WPA 25121 of 2016. It is submitted by him that the said appeal was mentioned before the Hon'ble Division Bench today and the returnable date has been fixed on February 6, 2025 for hearing of the condonation of delay.

6. Such factum is not disputed by Mr. Bari, learned Advocate appearing on behalf of the applicants/petitioners, however, he strongly contended that in a contempt petition adjournment should not be granted. It is further submitted by Mr. Bari that there is no embargo on the part of the contemnors to comply with the order as passed by this Court and that would be subject to the result of the appeal as preferred by the respondents herein.

7. Considering the rival submissions of the learned Advocates for both sides, this Court is inclined to grant adjournment to the contemnors.

8. Let the matter be listed under the same heading on February 14, 2025.

9. It is once again made clear that on the adjourned date all the contemnors are directed to appear in-person in Court.
10. The appearance of the contemnors who are present before this Court is dispensed with only for today.

(Partha Sarathi Sen, J.)