

29.07.2026
Item Nos.11-13
Court No.01
Avijit Mitra

CPAN 661 of 2007
Sumitra Devi Agarwalla & ors.
– *Versus* –
Sukumar Singha Ray & ors.
with
IA No.CAN 3 of 2017 (Old No.CAN 7954 of 2017)
in
WPLRT 1115 of 2001
with
CPAN 660 of 2007
Sri Rajendra Agarwal & Others
– *Versus* –
Sukumar Singha Ray & Others
in
WPLRT 1420 of 2001
with
IA No.: CAN 1 of 2007 (Old No.: CAN 9255 of 2007)
with
CPAN 659 of 2007
Sumitra Devi Agarwal
– *Versus* –
Sukumar Singha Ray & Others
in
WPLRT 1419 of 2001
with
IA No.: CAN 1 of 2002 (Old No.: CAN 9269 of 2002)

Mr. Pradip Kumar Roy, Sr. Adv.,
Ms. Shruti Mitra,
Ms. Soumita Chakraborty
... for the petitioners
Mr. Nilanjan Bhattacharjee,
Sr. Standing Counsel
Ms. Surabhi Banerjee
....for the State

Affidavit-of-service, as filed, be kept on record.

Heard Mr. Roy, learned senior advocate appearing for
the petitioners/applicants and Mr. Bhattacharjee, learned
Senior Standing Counsel appearing for the alleged
contemnors.

Records reveal that when the matter was earlier taken up for hearing on 07th July, 2026, this Court was apprised that a Special Leave Petition (in short, SLP) has been preferred before the Hon'ble Supreme Court on 04th July, 2026 challenging the order dated 10th December, 2025 passed in the review petition being RVW 2407 of 2007. By the said order, the Court also directed the applicants to effect service upon the new incumbent who had joined the post of D.L. & L.R.O. Such service has been effected.

Mr. Roy submits that till date the order of this Court has not been complied with.

Mr. Bhattacharjee, however, prays for an adjournment of three weeks as the defects in the SLP have already been cured and the matter is awaiting enlistment before the Hon'ble Supreme Court.

It is well settled in law that till the order passed by a competent court is set aside or stayed, the order remains valid and subsisting and is required to be complied with in law and in spirit. On the earlier date i.e. on 07th July, 2026 the hearing of the contempt application was deferred till date so that in the meantime appropriate steps may be taken before the Hon'ble Supreme Court.

However, the SLP has not yet been listed.

In the said conspectus we are, *prima facie*, satisfied that the alleged contemnors are very reluctant to comply

with the order of this Court. However, instead of issuing the rule of contempt today, as a first option we direct the alleged contemnors being the D.L. & L.R.O., the S.D.L.& L.R.O. and the B.L. & L.R.O. to appear before this Court on the returnable date and time through video conferencing and explain the steps taken.

List the matters, accordingly, on 25th August, 2026 as fixed at 2.00 p.m.

(Partha Sarathi Chatterjee, J.) (Tapabrata Chakraborty, A.C.J.)