

S U P R E M E C O U R T O F I N D I A
RECORD OF PROCEEDINGS

Petition(s) for Special Leave to Appeal (Civil) No(s).15724-25/2011

(From the judgement and order dated 11/04/2011 in ASTA No. 78/2009 & AST No. 539/2009 of The HIGH COURT OF CALCUTTA)

DIAMOND HARBOUR MUNICIPALITY & ORS. Petitioner(s)

VERSUS

HAYAGRIB NAIYA & ANR Respondent(s)

Date: 05/07/2011 These Petitions were called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE ALTAMAS KABIR
HON'BLE MR. JUSTICE CYRIAC JOSEPH

For Petitioner(s) Mr. Sandeep Bhattacharya, Adv.
Mr. Ardhendumauli Kumar Prasad, Adv.
Mr. Ritesh Khare, Adv.
Mr. Abhiske Baid, Adv.
Mr. Nirmal Baid, Adv.
Mr. Mirzaa Kayesh Beg, Adv.

For Respondent(s) Mr. Bhaskar Prasad Gupta, Sr. Adv.
R1/caveator Mr. Dipak Kumar Jena, Adv.
Mr. Partba Sarkar, Adv.
Mrs. Minakshi Ghosh Jena, Adv.
Mr. Debasis Bhattacharya, Adv.
Mr. Sridhar Nayak, Adv.

UPON hearing counsel the Court made the following
O R D E R

Taken on board.

Issue notice.

Since learned counsel is present on behalf of

the respondent No.1 on caveat, service of notice on

the said respondent is dispensed with.

Let the

respondent No.2 be served both in the usual course

and also by way of dasti service.

The respondents will be entitled to file their
respective counter affidavits to the Special Leave
Petitions within four weeks; rejoinder, thereto, if

any, may be filed within two weeks thereafter.

Liberty to mention for final hearing, as and when the pleadings are complete.

Pending hearing of these matters, the petitioner-municipality will be at liberty to continue with the disciplinary proceedings which had been initiated against the respondent No.1 on the basis of the show cause notice dated 11th August, 2009. The respondent No.1 will be at liberty to file his reply to the said show cause notice within three weeks from date. In the event such reply is not filed, the petitioner-municipality will be entitled to continue with the disciplinary proceedings in accordance with law.

Subject to the respondent No.1 being permitted to resume his duties, the contempt proceedings filed by the respondent shall remain stayed.

(Sheetal Dhingra)
Court Master

(Juginder Kaur)
Assistant Registrar