09.10.2026
D/L 01
Court No. 4
(Naba)

C.P.A.N. 758 of 2026
In
W.P.C.T. 319 of 2024

Chattu Chakraborty
Vs.
Shri Anil Kumar Jain & Ors.
(ASSIGNED)

Mr. Ujjawl Ray,
Mr. Saptarshi Bhattacharjee
...for the Petitioner

Mr. Dhruv Surana,
Mrs. Ashima Roy Choudhury
...for the Alleged Contemnor No.1

1. The petitioner and the alleged contemnor no.1 are represented by their respective learned advocate.

2. At the time of hearing Mr. Ray, learned advocate appearing on behalf of the petitioner took us to paragraph nos. 9 and 10 of the Judgement dated 03.02.2026, as passed by a Co-ordinate Bench of this Court in W.P.C.T. 319 of 2024 (Chattu Chakraborty Vs. The Union of India & Ors.). At this juncture, attention of ours is drawn to page nos.34 to 36 of the instant petition being a copy of the reasoned order dated 27.03.2026 as passed by the alleged contemnor no.2.

3. It is argued by Mr. Ray, learned advocate for the petitioner that though after communication of the Judgement dated 03.02.2026, the alleged contemnor no.2 has passed a reasoned order but

on careful perusal of the said reasoned order dated 27.03.2026, it would reveal that the alleged contemnor no.2 has deliberately disobeyed the direction of this Court by not giving adequate opportunity of hearing to the writ petitioner. It is, thus, submitted that on account of deliberate violation of the Judgement dated 03.02.2026, a rule of contempt may be issued.

4. Such contention is vehemently opposed by the learned advocate for the alleged contemnor no.1.

5. For effective adjudication of the instant contempt application, we propose to look to paragraph nos.9 and 10 of the aforementioned Judgement dated 03.02.2026 which is quoted hereinbelow in verbatim:

> *"9. Apart from this, another issue that the person terminating the services cannot be a judge in his own cause, is also applicable in the instant case. The Tribunal erred in not following its previous judgment passed in* ***Narhari Gouda*** *(supra). Thus, we deem it proper to take decision in the light of the judgment of Tribunal in the case of* ***Deo Kumar Singh*** *(supra), affirmed by High Court and also the view taken in the case of* ***Narhari Gouda*** *(supra). As a result, we set aside the termination order dated 30.12.2013 and direct the General Manager concerned to examine the records and if necessary, give an opportunity to the petitioner to be heard.*

> *10. The said authority after having heard the petitioner as well as examining the complaint, shall issue a fresh final order in accordance with law within 6 weeks from the date of receipt of copy of this order. The treatment of intervening period, i.e., from termination till passing of fresh order will be decided by General Manager while passing the final order."*

6. Keeping in mind the spirit of the said Judgement, if we look to the reasoned order dated 27.03.2026, as passed by the alleged contemnor no.2, it appears to this Court that pursuant to the said Judgement dated 03.02.2026, the said reasoned order dated 27.03.2026 was passed by the alleged contemnor no.2.

7. So far as grievance of the present petitioner regarding not giving opportunity of hearing to the writ petitioner is concerned, it appears to this Court that the Co-ordinate Bench in the last line of the paragraph no.9 of the said Judgement dated 03.02.2026, categorically mentioned that such opportunity may be given to the petitioner if necessary.

8. In our considered view, the alleged contemnor no.2 has passed a reasoned order in terms of the Judgement dated 03.02.2026 and we, thus, find sufficient compliance on the part of the alleged contemnor no.2.

9. It further appears to this Court in the event the petitioner feels aggrieved with the order dated 27.03.2026, he will be at liberty to ventilate his grievance before the appropriate forum.

10. In view of the discussion made above, this Court finds that nothing remains to be decided in the instant contempt application.

11. With the aforementioned observation, CPAN 758 of 2026 is disposed of.

(Madhuresh Prasad, J.)

(Partha Sarathi Sen, J.)