

L. Suruchi Devi Vs. Md. A.B. Eunos and Another

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Court : Guwahati

Decided On : Jun-27-2014

Judge : The Honourable Chief Justice Mr. a.M. Sapre

Appeal No. : Cont. Case (C) No. 99 of 2013

Appellant : L. Suruchi Devi

Respondent : Md. A.B. Eunos and Another

Advocate for Pet/Ap. : Mr. P. K. Talukdar

Judgement :

Heard Mr. P. K. Talukdar, learned counsel for the petitioner and Ms. A. Verma, learned counsel appearing for the respondents.

This contempt application arises out of an order dated 10.10.2012 passed by the learned Single Judge in WP(C) No.454/2008 and WP(C) No.3790/2009.

Notice of this contempt application was issued to the respondents. The respondents are served and duly represented.

Perusal of the case record reveals that the order in question has since been complied with by the respondents by order dated 20.05.2013 which has been communicated to the Registry of this Court by letter dated 20.05.2013 purporting to be in compliance to the order out of which this contempt application arises.

Having heard the learned counsel for the parties and on perusal of the records of the case and after taking into account the nature of the controversy raised, I am inclined to dismiss this contempt application with liberty to the petitioner to challenge the impugned compliance said to have been made by the respondents in compliance to the order passed by this Court out of which this contempt application arises in appropriate proceeding in accordance with law in case if he feels dis-satisfied with the compliance.

Needless to observe, in case if any such legal recourse is taken by the petitioner by challenging the purported compliance, dismissal of this contempt application would not come in his way in prosecuting the remedy in accordance with law.

Subject to the aforesaid observations, this contempt application fails and is accordingly dismissed.

Rule nisi issued against the respondents is hereby recalled.

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