

**HIGH COURT OF TRIPURA
AGARTALA**

Cont. Cas(C) 21 of 2024

Sri Abinash Sarkar

Petitioner(s)

Versus

Sri Kailash Chandar Meena.

Respondent(s)

For Petitioner(s) : Mr. S. Deb, Sr. Advocate.
Mr. S. Datta, Advocate.

For Respondent(s) : Ms. S. Deb(Gupta), Advocate.
Ms. R. Dey, Advocate.

HON'BLE MR. JUSTICE T. AMARNATH GOUD

ORDER

05.07.2024

This present contempt case has been filed for drawing up contempt proceeding under Section 12 of the Contempt of Courts Act, 1971 read with Article 215 of the Constitution of India against the respondent-opposite party for violating the order passed by this Court dated 12.09.2023 in L.A. Appeal No.29 of 2022.

2. Heard Mr. S. Deb, learned Sr. counsel assisted by Mr. S. Datta, learned counsel appearing for the petitioner as well as Ms. S. Deb(Gupta), learned counsel assisted by Ms. R. Dey, learned counsel appearing for the respondent.

3. When the contempt case is called, Ms. S. Deb(Gupta), learned counsel appears for the respondent and placed on record

communication dated 04.07.2024, wherein, according to the letter and statement of payment enclosed in terms of the impugned order passed by this Court on 12.09.2023, a sum of Rs. 22,14,711.00/- (*Rupees Twenty two lakhs Fourteen thousand Seven hundred & Eleven only*) has been computed in favour of the petitioner and the respondent promised that they would make the payment to the petitioner forthwith. Learned counsel appearing for the petitioner further represented that if the petitioner is disputing the said calculation, he is free to approach respondent authority and they would positively consider their request. Stating thus learned counsel appearing for the respondent urged this Court to close the present Contempt Case

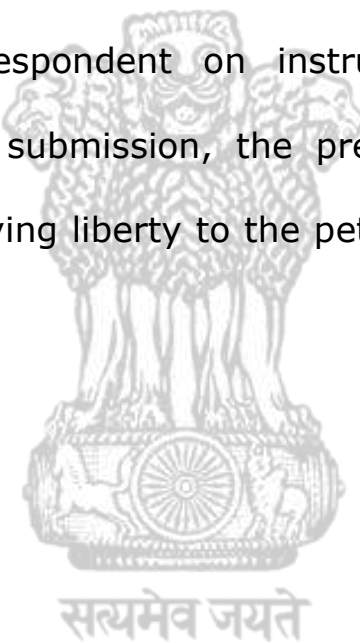
4. On the other hand Mr. S. Deb, learned Sr. counsel appearing for the petitioner stated that at the time of filing of this contempt case, the calculation statement which was made by them as on 07.03.2024 is Rs, 23,85,036/- and as such there is a shortfall Rs. 1,70,325/- in the calculated amount presented in the communication dated 04/07/2024. Learned Sr. counsel prayed that till date he is entitled to more money.

5. Heard both sides and perused the evidence record.

6. In view of the submission made before this Court, this Court is of the opinion that disputed question of fact and figure cannot be gone into in a contempt case. Vide communication dated

04/07/2024, submitted by Ms. Deb(Gupta), learned counsel appearing for the respondent, it is indicated that the respondent would pay the major portion of the amount to the petitioner forthwith. In view of said communication dated 04.07.2024 submitted by Ms. S. Deb(Gupta), learned counsel appearing for the respondent indicating that they would make the payment of the calculated amount to the petitioner forthwith, this court directs the respondent to make the payment to the petitioner herein as calculated immediately on or before 22nd July 2024. This date of making the said payment has been suggested by learned counsel appearing for the respondent on instruction from her client. Considering the said submission, the present Contempt Case is accordingly closed, giving liberty to the petitioner to avail remedies under law.

JUDGE



suhanjit

RAJKUMAR
SUHANJIT
SINGHA

Digitally signed by
RAJKUMAR
SUHANJIT SINGHA
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