

GAHC010078402024



THE GAUHATI HIGH COURT
(HIGH COURT OF ASSAM, NAGALAND, MIZORAM AND ARUNACHAL PRADESH)

Case No. : Cont.Cas(C)/201/2024

SADANANDA BARUAH
SON OF LATE INDRA KANTA BARUAH,
RESIDENT OF BETBARI,
LUTHURIGAON,
P.O.- BETBARI, ALI MOOR,
DISTRICT- SIVASAGAR, PIN- 785639.

VERSUS

RAJESH TIWARI
EXECUTIVE DIRECTOR, ONGC,
E.R.B.C., NAZIRA, SIBSAGAR,
ASSAM, PIN- 785640.

Advocate for the Petitioner : MR A DASGUPTA, MR J K SHARMA, MS B DAS

Advocate for the Respondent : MR. B K DAS, MR B CHOUDHURY, MR. B K DAS, MR H P GUWALA

BEFORE
HONOURABLE MR. JUSTICE KAUSHIK GOSWAMI

ORDER

20.09.2024

Heard Mr. A. Dasgupta, learned Senior Counsel assisted by Ms. B. Das, learned counsel for the petitioner. Also heard Mr. I. Choudhury, learned Senior Counsel assisted by Mr. B. Choudhury, learned counsel for the Contemnor.

By filing this petition under Section 11 and 12 of the Contempt of Court's Act

r/w Article 215 of the Constitution of India, the petitioner has brought notice of this Court as regards the alleged non-compliance of an order passed by this Court on 09.02.2023 in WP(C)/9114/2023 and 19.4.2023 in WA 99/2023.

Mr. I. Choudhury, learned Senior Counsel submits that in compliance of the Court's order dated 09.02.2023, the interest as directed under paragraph 15 of the said order has already been released to the petitioner. He further submits that the principal amount as directed under paragraph 14 of the said judgment upon being computed has been deposited before the Registry of this Court.

Mr. Dasgupta, the learned Senior Counsel confirms the same, however, seeks a direction for release of the said principal amount deposited before the Registry of this Court in favour of the petitioner.

In view of the aforesaid endorsement made by the learned counsel for both sides, it appears that the order dated 09.02.2023 against which the instant contempt petition has been filed stands complied with and accordingly nothing survives for adjudication in the instant contempt petition. As such the contempt petition stands closed.

The contempt petition stands disposed of as indicated above.

Let Registry release the principal amount as deposited by the contemnor in favour of the petitioner within a period of 10 days from today.

It is needless to clarify that in the event the petitioner is aggrieved with the quantum of the principal amount as computed by the respondents, they shall be at liberty to approach the appropriate forum in law.

JUDGE

Comparing Assistant