

Item No. 219

19.01.2023
Ct-24

In The High Court At Calcutta
Special Jurisdiction
Appellate Side

CPAN 177 of 2020
Ratan Bosu & Ors.
v.
Mohabub Islam
in
WPA 18343 of 2019

Mr. Puspall Chakraborty
Mr. Arkadip Sengupta
Mr. Prasanna Ganguly
Mr. Saumyadeep Sarkar
Mr. Srijita Nath
... for the petitioners.

Mr. Sharanya Chatterjee
... for the contemnor.

Order passed by the Hon'ble Supreme Court on December 12, 2022 has been placed on record. It appears therefrom that the Hon'ble Supreme Court after hearing the learned advocates representing all the parties at length, was pleased not to interfere with the order passed by the Hon'ble High Court. The Special Leave Petition has been dismissed.

Learned advocate representing the alleged contemnor submits that the Managing Director, Kalyani Spinning Mills Limited has already placed a request before the Joint Secretary to the Government of West Bengal for release of funds for compliance of the direction passed by this Court. The letter was received by the Department of Micro, Small & Medium Enterprises & Textiles on January 17, 2023.

The time to comply the order is long over.

As last chance, the contempt application stands adjourned till February 23, 2023. An affidavit-of-compliance shall be filed on the said date with an advance copy to the learned advocate representing the petitioners.

Let copy of the communication dated January 17, 2023 made by the Managing Director, Kalyani Spinning Mills Limited to the Joint Secretary, Department of Micro, Small & Medium Enterprises & Textiles and a copy of the order passed by the Hon'ble Supreme Court on December 12, 2022 be served upon Mr. Pantu Deb Roy, learned advocate who represented the State before this Court in the writ proceeding.

Mr. Deb Roy is directed to follow up the matter with the State Government to ensure that the fund sought for is promptly released, failing which the Court will be left with no other alternative but to issue a Contempt Rule against the alleged contemnor.

Leave granted to the learned advocate-on-record of the petitioners to implead the present incumbent as party respondent/ contemnor in the contempt application.

As learned advocate has already entered appearance on behalf the said contemnor, accordingly, the formality of serving a further copy upon the added contemnor is dispensed with.

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(Amrita Sinha, J.)