

IN THE HIGH COURT AT CALCUTTA
SPECIAL CIVIL JURISDICTION
APPELLATE SIDE

CPAN 389 of 2021
in
WPA 3749 of 2021

Imperium Energy Utility Services LLP
Vs.
Prem Sagar Mishra & Ors.

Mr. Ramendu Agarwal
... For the applicant/petitioner

Mr. Manik Das
Ms. Tanushree Dasgupta
... For the alleged contemnors/
respondents no.1 to 4/ECL

Mr. Ranjan Bachawat, Sr. Advocate
Mr. Varun Kedia
... For the alleged contemnors/
respondents no.5 and 6

The contempt petition arises out of an order dated 16th March, 2021 passed in WPA 3749 of 2021. Two appeals were preferred against the said order; one by the Eastern Coalfields Limited (in short “ECL”) and the other by the Coal India Limited (in short “CIL”). The two appeals, being MAT 484 of 2021 and MAT 534 of 2021, have been dismissed by a judgment and order dated 9th September, 2021. The order dated 16th March, 2021, therefor, has merged into the order passed by the Hon’ble Division Bench on 9th September, 2021.

There is no independent existence of the order dated 16th March, 2021 and in view of the ratio laid down

in the judgment reported in 2012 (4) Cal LT 711 (M/s. Tetulia Coke Plant (P) Ltd. & Ors. v. P.S. Bhattacharya), the contempt application can no more be maintained before the Single Bench.

The contempt application, therefor, is disposed of without any further order.

(Arindam Mukherjee, J.)