

29-11-2021

ct no. 13

Sl.6

pk

WPCRC 29 of 2021
in
WPA 21627 of 2019
(Through Video Conference)

Sekhar Kumar Chanda
Versus
Pradip Satpathi

Mr. P. C. Bhattacharya
... for the petitioner/applicant.

Mr. Aniruddha Chatterjee,
Mr. Subrata Kumar Basu,
Mr. A. L. Chakraborty,
Ms. Manisha Das
... for the alleged contemnor

In terms of the order of this Court, of which contempt is alleged, the petitioner has tendered a sum of Rs.22 lacs to the respondents/Society towards cost of construction. It is submitted by Mr. Bhattacharya, learned counsel for the petitioner that the respondents deliberately and willfully delayed accepting the sum of Rs.22 lacs. It is also submitted that the cheque deposited by the petitioner towards such payment was kept pending. As a consequence whereof, the writ petitioner has suffered.

The respondents question the valid tendering of the cheque and submit that there is no inaction on their part. This Court is not

inclined to enter into the issue although the action of the respondent/contemnor is far from satisfactory. It is warned that the respondents shall not act contrary to the orders of Court or make any attempt to frustrate the same in future. A copy of this order shall be sent to the Registrar, Co-operative Societies for appropriate noting.

With a view to dispel all doubts and controversy, the petitioner shall be entitled to transmit the said sum of Rs.22 lacs to the Society by RTGS/NEFT and other electronic modes.

The pending review application in the Tribunal shall proceed uninfluenced by the aforesaid order.

Rule issued shall stand discharged and the contempt application shall stand disposed of.

There will be no order as to costs.

All parties are directed to act on a server copy of this order duly downloaded from the official website of this Court.

(Rajasekhar Mantha, J.)