

APOT/11/2020
With
CC/44/2019
IA No.GA/1/2020 (Old No.GA/431/2020)
GA/2/2020 (Old No.GA/432/2020)

IN THE HIGH COURT AT CALCUTTA
Civil Appellate Jurisdiction
ORIGINAL SIDE

D & I TAXCON SERVICES PVT. LTD.

-Versus-

ANUJ SHARMA & ORS.

BEFORE:

The Hon'ble CHIEF JUSTICE THOTTATHIL B. RADHAKRISHNAN

The Hon'ble JUSTICE ARIJIT BANERJEE

Date : 25th February, 2021.

(Via Video Conference)

Appearance:

*Mr. Tapas Dutta, Adv.
...for appellant.*

*Mr. Amitesh Banerjee, Sr. Standing Counsel.
Mr. Tarak Karan, Adv.
...for the State.*

The Court : Taking up the application for condonation of delay in filing the appeal we find that the causes shown are sufficient. Accordingly the delay is condoned.

This appeal is filed against an order by which the learned Single Judge has declined to initiate action under the Contempt of Courts Act. Learned Senior Standing Counsel for the State rightly points out, at the very outset, that such an appeal may not lie and an appeal against an order refusing to initiate

contempt proceedings under the Contempt of Courts Act is prohibited under Section 19 of the Act.

Be that as it may, we are of the view that in view of the dismissal of APOT No.10 of 2020 and the interlocutory applications therein through a different order issued today, nothing survives in this matter as the Contempt of Court proceedings sought to be initiated were related to the matters relating to WPO No.301 of 2019 from which APOT No.10 of 2020 arose.

In the aforesaid circumstances, we do not see any ground to pass any further orders in this matter. Hence, it is disposed of accordingly. The connected applications also stand disposed of.

(THOTTATHIL B. RADHAKRISHNAN, CJ.)

(ARIJIT BANERJEE, J.)