

ORDER SHEET

OD-35

CC No. 51 of 2019
IN THE HIGH COURT AT CALCUTTA
SPECIAL CIVIL JURISDICTION (CONTEMPT)
ORIGINAL SIDE

KRISHNA LAL SHARMA
VERSUS
EMILY SINGHA BRISHOBHA AND ANR.

BEFORE:

The Hon'ble JUSTICE DEBANGSU BASAK

Date: 16th March, 2021.

(Via Video Conference)

Appearance:
Ms. Sonal Shah, Adv.
Mr. Kushagra Shah, Adv.
Mr. Sourish Ray, Adv.

Mr. Dipak Kumar Bhattacharyya, Adv.
Ms. Kalpita Paul, Adv.

The Court :- The petitioner complains of violation of the order dated April 11, 2019. By such order, the respondents were found to be entitled to occupation charges up to August 30, 2018. The respondents were directed to adjust the occupation charges till August 2018 at the undisputed rate of rent and refund the balance that may be found to have been paid in excess by the petitioner.

It appears that, the petitioner paid for the month of September to December, 2018 @ Rs.2,21,958/- aggregating a sum of Rs. 8,87,832/- to the respondents. The payments are for period subsequent to August 30,

2018. The petitioner obtained the goods and issued the no objection certificate on December 26, 2018.

In the facts of the present case, therefore, the petitioner made excess payment of a sum of Rs. 8,87,832/- to the respondents which the respondents are obliged the refund. The respondents will do so within four weeks from date.

In the event of default, the petitioner is at liberty to execute this Order as a decree of Court.

CC No. 51 of 2019 is disposed of accordingly.

(DEBANGSU BASAK, J.)