

ORDER SHEET

CC/195/2000

IN THE HIGH COURT AT CALCUTTA
Special Jurisdiction (Contempt)
ORIGINAL SIDE

AMAR STEEL INDUSTRIES & ANR.
VERSUS
K.K. PALIT & ANR.

BEFORE:
The Hon'ble JUSTICE ARINDAM MUKHERJEE
Date: 16th August, 2021.

(Via Video Conference)

Appearance:
Ms. Labanyasree Sinha, Adv.

The Court: The contempt petition arises out of an order dated 7th April, 2000 passed in WP No.835 of 2000. The operative portion of the said order is set out hereunder:

“In my view, the grievance of the writ petitioners being that their representation has not been considered, this writ application can be disposed of without going into the merit of the dispute involved herein by directing the respondent no.3 to treat the instant writ application as the representation of the petitioners and to dispose of the same by a reasoned order in accordance with law positively within one month from the date of communication of this order. The petitioner is therefore directed to serve a copy of this writ application upon the respondent no.3 afresh along with this order for compliance of the instant order.”

According to the alleged contemnors, this order was communicated to the respondents in the writ petition by a letter dated 12th April, 2000 appearing at page 31 of this petition. Pursuant to such communication, the Director of The Shipping

Corporation of India Limited (SCI) by a letter dated 9th May, 2000 had informed the petitioner about the decision after considering the petitioners' representation. The said advocate, therefore, submits that after the representation having been considered, there can be no contempt of the order dated 7th April, 2000. The petitioners remedy lies elsewhere but not in contempt jurisdiction if the petitioners are dissatisfied with the decision of SCI upon the representation being considered. The petitioners remain unrepresented on several occasions including on 11th August, 2021 and even today.

After considering the submissions made on behalf of the alleged contemnors, I find that there is no merit in the contempt application. The contempt proceedings are dropped.

The contempt petition is dismissed without any further order as to costs.

Rule, if any, stands discharged.

(ARINDAM MUKHERJEE, J.)