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CC 149 of 1997
IN THE HIGH COURT AT CALCUTTA
Special Jurisdiction (Contempt)
ORIGINAL SIDE

THE CHAIRMAN, CALCUTTA PORT TRUST
VS.
UNITED BANK OF INDIA & ANR.

BEFORE:

The Hon'ble JUSTICE ARINDAM MUKHERJEE

Date: 23rd September, 2021

Mr. Pranit Bag, Mr. Santosh Kr. Ray,
Advocates for the contempt-petitioner.

Mr. Sushil Kumar Goenka, erstwhile director of
G. B. Wood Crafts (P) Ltd. appears in person

Ms. Parna Roy Choudhury, Ms. Payel Ghosh, Advocates for
alleged contemnors.

The Court : Affidavit of service filed in Court today by the contempt-petitioner is taken on record.

The contempt application arises out of an order dated 7th February, 1997 passed in G. A. 1690 of 1996 filed in Writ Petition No. 2233 of 1990 [G. B. Wood Crafts (P) Ltd. Vs. Chairman, Calcutta Port Trust). Mr. Sushil Kumar Goenka appears in person and submits that he was the director of G. B. Wood Crafts (P) Ltd., the writ petitioner at the time when the order in contempt was passed. Mr. Goenka produces a photocopy of an order dated 7th December, 2001 passed in W. P. No.2233 of 1990. It appears from the said order that the writ petition was disposed of on that date.

After the writ petition has been disposed of, there is no independent existence of the order dated 7th February, 1997, being the subject matter of contempt. The contempt petition, therefore, cannot be maintained any further subsequent to the passing of the order dated 7th December, 2001 for alleged violation of the order dated 7th February, 1997. The contempt petition is, therefore, dismissed.

Rule, if any, stands discharged.

There shall, however, be no order as to costs.

(ARINDAM MUKHERJEE, J.)