

CPAN 87 of 2022
In
WPA 17269 of 2021

Dukhni Bhuiya
-Vs-
Prem Sagar Mishra & Ors.

Mr. Partha Ghosh
Mr. Amal Kumar Datta
Ms. Simran Sureka
Mr. Rahul Agarwala
Mr. Debashis Das

... for the applicant

Mr. Manik Das
Ms. Tanushree Dasgupta ... for the alleged Contemnor

The appeal preferred against the order under contempt had been dismissed on 21st of April, 2022 without interfering with the order under contempt.

However, the petitioner on the reasoning that there has been a merger of the order passed by the Hon'ble Single Bench with the order passed by the Hon'ble Division Bench, has filed a Contempt Application before the appropriate Division Bench.

It is submitted on behalf of the alleged contemnor that the Eastern Coal Fields Limited (for short, ECL) has preferred a Special Leave Petition (for short, SLP) (Civil) bearing Diary No. 28427 of 2022 before the Hon'ble Supreme Court.

In the said SLP, by an order dated 14th of October, 2022, the ECL was directed to pay the amount due under Clause 9.5.0.(i) of the National coal Wage Agreement (for short, NCWA) as amended up to date for the period commencing from three years prior to the date of the filing of the writ petition in the High Court till the date of the payment within a period of one month from the date of the said order.

A stay as to the rest of the order for payment of arrears has been granted pending further orders on the condition laid down in the said order being complied with.

Considering the facts as aforesaid, this contempt application cannot be proceeded any further before this Bench on the ground of merger of the order on Contempt with the order of the Division Bench of this Court and the subsequent order of the Hon'ble Supreme Court.

The contempt proceeding is dropped.

The Contempt Application being CPAN 87 of 2022 is disposed of without any further order.

All parties to act on a server copy of this order duly obtained from the official website of this Hon'ble Court.

(Arindam Mukherjee, J.)

