

16th September,
2022
(AK)
14-15

CPAN 863 of 2022
With
W.P.A 8027 of 2022

M/s. R.K.D.S. & Associates & Anr.
Vs.
Debasis Roy and others

Mr. Vinay Shraff
Mr. Kaushal Agarwal
...for the petitioners.

Mr. Pantu Deb Roy
Mr. Pannalal Bandopadhyay
...for the alleged contemnors.

Learned counsel for the petitioners submits that, in contravention of the order dated June 27, 2022 passed in WPA 8027 of 2022, the respondents/alleged contemnors clamped a huge penalty of Rs. 33,300/- despite this court having specifically directed that only half of the fees shall be charged.

It is seen *prima facie* from the communication made by the alleged contemnors dated July 27, 2022, annexed at page-22 of the contempt application, that it has been clearly communicated on behalf of the alleged contemnors to the petitioners that the fees as per order of this court would be Rs.850/- (half of the usual fees of Rs.1700/-) but the penalty imposed, it was further communicated, would be around Rs.33,300/-.

However, no basis for charging such penalty has been disclosed, giving rise to the apprehension that what could not be charged directly by the alleged contemnors

was so charged indirectly by way of penalty without any reasonable basis.

Learned counsel appearing for the alleged contemnors, however, submits that there is basis in law for charging the penalty.

Accordingly, the alleged contemnors shall file their affidavit-in-opposition disclosing all relevant factors and the extant law which, if any, furnishes a basis to the penalty imposed, within November 4, 2022. Reply, if any, shall be filed by November 11, 2022.

The matter shall next be enlisted for hearing on November 11, 2022.

(Sabyasachi Bhattacharyya, J.)