

13.01.2023

Sl. No.: 2

BM

Court No.23

IN THE HIGH COURT AT CALCUTTA
SPECIAL CIVIL JURISDICTION
APPELLATE SIDE

CPAN 480 of 2022

in

WPA 20746 of 2021

Kajali Mejhain

Vs.

Ambika Prasad Panda & Ors.

Mr. Partha Ghosh

Mr. Amal Kumar Datta

Ms. Simran Sureka

Mr. Debashis Das

Mr. Rahul Agarwala

... for the petitioner

The order of the Division Bench dated 4th January, 2023 dismissing the appeal preferred by the principal respondent of the writ petition i.e. Eastern Coalfields Limited (in short 'ECL') has been placed before this court. The matter was adjourned on 6th January, 2023 to enable the parties to submit the said order dated 4th January, 2023. The alleged contemnor remains unrepresented, though, he was represented on 6th January, 2023 and the matter was adjourned in the presence of the Advocate for the alleged contemnor. The order dated 4th January, 2023 has dismissed the appeal by simply holding that there was no reason to interfere with the order of the learned Single Bench being the subject matter of the appeal. On plain reading of the two orders passed by this Bench on 17th February, 2022 in

WPA 20746 of 2021 and that by the Division Bench dated 4th January, 2023, I do not find any merger of the order of the Single Bench with that of the Division Bench.

In the aforesaid facts and circumstances of the case, the petitioner is granted leave to approach the Registrar General of this court for withdrawing the money deposited by ECL as recorded in the order dated 11th November, 2022 passed in this contempt application. The learned Registrar General is directed to release the amount of Rs.39,99,829/- said to have been deposited by ECL with accrued interest thereon to the petitioner on being so approach by the petitioner, if necessary, by premature encashment of the fixed deposit wherein the money may have been invested on or before the next date.

Let this matter appear on 10th February, 2023.

The petitioner shall serve a copy of this order upon ECL as also the alleged contemnor and file an affidavit of service to that effect on the next date.

(Arindam Mukherjee, J.)