

ORDER SHEET
CC/19/2022
IN THE HIGH COURT AT CALCUTTA
ORIGINAL SIDE

M/S ANNDATA DEVELOPERS PVT LTD.
VS
ARTI VERMA AND ORS

BEFORE:

The Hon'ble JUSTICE SABYASACHI BHATTACHARYYA

Date : 29th November, 2022.

Appearance:

Mr. Sushavan Sengupta, Adv.

Mr. Tapas Saha, Adv.

Ms. S. Dewangi, Adv.

. . .for the petitioner.

Mr. Saunavo Basu, Adv.

. . .for Arti Verma.

The Court: It is submitted by learned counsel for the petitioner that as the alleged contemnors did not give up possession pursuant to the directions of this Court and the Division Bench, which affirmed the order passed by this Court, subsequently such possession had to be obtained by the petitioner with police help.

The documents filed by learned counsel for the petitioner by way of prima facie proof as regards the possession having been taken by police help and inventory of the goods having been done be kept on record.

Since possession has already been taken legally by the petitioner in the meantime, there is no use of keeping the contempt application live, since

the extreme measure of issuing a Rule of contempt is not necessary any longer.

As such, CC 19 of 2022 is disposed of as infructuous. However, it is made clear that the above order shall not prejudice the rights of either of the parties to move the Hon'ble Supreme Court, if the parties so wish, against the order passed by the Appellate Bench and/or if the parties so choose, to move before the competent Civil forum for appropriate remedy.

No order as to costs.

Urgent certified website copies of this order, if applied for, be supplied to the parties upon compliance with all requisite formalities.

(SABYASACHI BHATTACHARYYA, J.)

SP/