

IN THE HIGH COURT OF ORISSA AT CUTTACK

CONTC No. 2444 of 2019

M/s PLR Projects Pvt. Ltd.

.....

Petitioner

Mr. S. Gadodia, Adv.

Vs.

Bhola Nath Sukla and others

.....

Opposite Parties

Mr. S.D. Das, Sr. Adv.

along with Mr. R. Roy, Adv.

CORAM:

DR. JUSTICE B.R. SARANGI

MR. JUSTICE G. SATAPATHY

ORDER

10.10.2022

Order No.

05.

This matter is taken up through hybrid mode.

2. Heard Mr. S. Gadodia, learned counsel for the petitioner and Mr. S.D. Das, learned Senior Counsel appearing along with Mr. R. Roy, learned counsel for the opposite parties.

3. The petitioner has filed this contempt petition to suitably punish the opposite parties for willfully and deliberately violating the interim order dated 30.10.2019 passed by this Court in W.P.(C) No. 17476 of 2019 and extended vide orders dated 18.11.2019 and 25.11.2019.

4. This Court issued notice to the opposite parties vide order dated 16.12.2019 and in response to the same, on 10.01.2020 a show cause reply was filed wherein the letter dated 03.01.2020 has been enclosed and it has been specifically mentioned therein, to the following effect:-

“Now, in view of the above order by Hon’ble Court dated 31.10.2019, the above referred letter vide Ref. No. 79 E dated 23.11.2019 is recalled back and you are requested not to act upon the said letter.”

5. Since the order dated 23.11.2019 has already been recalled and, as such, due to non-communication of the order of this Court,

such order has been passed, the opposite parties begged unconditional apology and contended that the contempt proceeding may be dropped.

6. Having heard learned counsel for the parties and after going through the records, this Court finds that though vide order dated 31.10.2019 this Court passed interim order, but by order dated 23.11.2019 the opposite parties have passed an order in gross violation of the interim order dated 31.10.2019. As such, when notice of contempt was issued to the opposite parties, on 03.01.2020, the order dated 23.11.2019 which was issued by the opposite parties, has been recalled and for the error committed by the opposite parties, they begged unconditional apology.

7. In the above view of the matter, the contempt petition is disposed of.

(DR. B.R. SARANGI)
JUDGE

(G. SATAPATHY)
JUDGE

Ashok/Kishore