

24.02.2023
Court No.13
Item No.29
pk

**CPAN 29 of 2023
In
WPA 27104 of 2022
With
CAN 1 of 2022**

**Bimal Prakash Sarda
Vs.
Mr. Prem Jeet Chowdhuri**

Mr. Aniruddha Chatterjee,
Mr. Kusal Chatterjee,
Mr. Rajesh Upadhyay,
Ms. Surabita Biswas

... For the Petitioner.

Mr. Sardar Amjad Ali,
Mr. S.K. Halder,
Mr. A.K. Sarkar

...for the applicant (in CAN 1 of 2022)

CAN 1 of 2022

CAN 1 of 2022 has been filed by the respondent no. 10 in the writ petition seeking modification of the order dated 08.12.2022.

It appears to this Court that in essence the petitioner seeks review or recall of the said order dated 08.12.2022. The same cannot be permitted since the petitioner was heard.

Mr. Amjad Ali, learned Senior Advocate appearing for the respondent no. 10 in the writ petition would submit that the writ petition and the annexures were not properly placed by the learned counsel appearing for the respondent no. 10 on the said date.

This Court is of the view that the same cannot be a ground for modification of the order dated 08.12.2022.

Hence, CAN 1 of 2022 is, therefore, disposed of without any order.

The 10th respondent in the writ petition may take steps as may be available to him in law.

There shall be no order as to costs.

CPAN 29 of 2023

The Officer-in-Charge, Beliaghata Police Station has filed a report dated 23.02.2023, which is taken on record.

Annexed to the report is a communication dated 14.12.2022 assessing costs for deployment of police at the petitioner's premises assessed at Rs. 47,088/-.

Counsel for the petitioner submits that he was never communicated this letter.

Be that as it may, the petitioner shall deposit the costs assessed by the police for deployment police picket immediately. Upon receipt of money, the police shall comply with the order and deploy police picket for the purpose of implementation of the order dated 08.12.2022.

The police shall take steps to ensure that the order dated 08.12.2022 is complied with, in its entirety.

Hence, contempt application is disposed of.
Rule, if any, shall stand discharged.

There shall be no order as to costs.

All parties are to act on a server copy of this
order duly downloaded from the official website of this
court.

(Rajasekhar Mantha, J.)