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IN THE HIGH COURT AT CALCUTTA
CONSTITUTIONAL WRIT JURISDICTION
APPELLATE SIDE

C.P.A.N. 388 of 2022
in
W.P.A. No. 1936 of 2022

Sri Vasavi Industries Limited & Anr.
Vs.
Anil Chandra Bir

Mr. Swatarup Banerjee,
Mr. Moti Sagar Tiwari
...for the petitioners

Mr. Abhrajit Mitra,
Mr. Chayan Gupta,
Mr. Sandip Dasgupta,
Mr. Saaqib Siddiqui
...for the alleged contemnor

Learned counsel appearing for the petitioners, in his usual fairness, submits that the contempt application ought not to sustain in view of the petitioners having already deposited reconnection charges to the tune of Rs.70,37,000/- in terms of the order dated February 17, 2023 passed by this Court.

Learned senior counsel appearing for the alleged contemnor submits that although the deposit was made three days beyond the time stipulated in the said order, the same has been accepted by the respondent/alleged contemnor and the amount is lying with the alleged contemnor as of now.

Such allegation of delayed payment, of course, is squarely controverted by learned counsel appearing for the petitioners.

Be that as it may, since there is no subsisting contempt, there is no use in further keeping the matter sub-judice.

Accordingly, C.P.A.N. 388 of 2022 is disposed of as infructuous in the light of the observations as made above.

It is made clear that the rights and contentions of the parties on the basis of the deposit already made by the petitioners are not gone into by this Court.

It is further recorded that in view of the reconnection charges having been deposited by the petitioners, there cannot be any further impediment for the respondent/alleged contemnor to comply with the order under contempt. However, since the stipulated time given in the said order, that is, a fortnight has already expired in the meantime, the reconnection shall be given by the respondents within a fortnight from the petitioners conveying their readiness with regard to the necessary arrangements having been made for receiving such electricity connection at the premises, provided such intimation is given by the petitioners to the respondents within three months from date.

There will be no order as to costs.

Urgent photostat certified copies of this order, if applied for, be made available to the parties upon compliance of all necessary formalities.

(Sabyasachi Bhattacharyya, J.)