

OD-13

ORDER SHEET
CC/27/2023
IN THE HIGH COURT AT CALCUTTA
Special Jurisdiction (Contempt)
ORIGINAL SIDE

PRIME COLD STORES PVT. LTD. AND ANR.
Versus
VANDANA YADAV

BEFORE:

The Hon'ble JUSTICE MOUSHUMI BHATTACHARYA

Date : 17th November, 2023.

Appearance:

Mr. Debrup Bhattacharjee, Adv.

Mr. Pradeep Kr. Tulsyan, Adv.

Mr. Vivek Basu, Adv.

...for the petitioners

Mr. Suddhavev Adak, Adv.

...for the alleged contemnor

The Court:- Learned counsel appearing for the petitioners seeks to withdraw the present contempt petition on the ground that the contempt should have been filed before the Division Bench since the Division Bench affirmed the judgment passed by this Court on 21st September, 2022. Counsel relies on *Kunhayammed vs. State of Kerala (2000) 6 SCC 359* in support of his submission.

Learned counsel appearing for the alleged contemnor submits that the defects in the SLP have been removed but is not in a position to indicate when the matter is likely to be taken up.

Considering the judgment in *Kunhayammed*, this Court is of the view that the petitioners should be given liberty to withdraw the present contempt proceedings.

CC/27/2023 along with all connected applications are hence dismissed as withdrawn in terms of this order.

The petitioners are given liberty to take appropriate steps before the Division Bench.

(MOUSHUMI BHATTACHARYA, J.)