

Ml- 08.03.2024
37 Ct.15
rkd

CPAN 1 of 2024
In
W.P.A. 21688 of 2012

Vijay Interiors & Anr.

-vs-

**Mr. Nikhil Nirmal Managing Director of West Bengal
Small Industries Development Corporation & Ors.**

Mr. Boloram Patra,
Mr. Suvodip Bhattacharjee

....for the applicant.

Mr. M. P. Gupta,
Mr. Kamal Kumar Chattopadhyay

....for the WBSIDC.

The contempt application is taken up for consideration in presence of the learned advocates representing the applicants and alleged contemnors.

It has been submitted on behalf of the applicants that the alleged contemnors are required to supply statement of account as directed by the Court vide order dated 13th September, 2023. Applicant/writ petitioner thereafter was granted liberty to file objection before the Managing Director, WBSIDCL within a specified time. Ultimately the Managing Director has been directed to dispose of the appeal within a specified time based on statement of account and objection which are to be submitted by the applicant/writ

petitioner.

The learned advocate for the alleged contemnors submits that the statement of account as directed by the coordinate Bench on 13th September, 2023 has been served on 3rd October, 2023 upon the applicant/writ petitioner. Copy of the statement of account is placed before this Court which is taken on record.

It is the contention of the learned advocate representing the applicant/writ petitioner that it is not the statement of account which was directed to be supplied by the coordinate Bench vide order dated 13th September, 2023. However, on perusal of the statement of account it apparently appears being the statement but considering the grievance as ventilated by the applicant/writ petitioner with regard to nature of statement of account as supplied to him leave is granted to the applicant/writ petitioner to raise that issue at the time of filing objection which applicant/writ petitioner is required to file on receipt of the statement of account.

The Appellate Authority while adjudicating the appeal shall also consider the issue, if raised by the applicant/writ petitioner in the objection relating to statement of account.

With the aforesaid observation and direction the contempt application stands disposed of.

However, this order shall not preclude the alleged contemnors to comply with the order passed by the coordinate Bench on 13th September, 2023.

(Saugata Bhattacharyya, J.)