

AD-28
Ct No.09
23.02.2024
TN

CPAN 358 of 2024
in
WPA No. 16220 of 2023
IA No: CAN 1 of 2023
CAN 2 of 2024

Sisir Das and another
Vs.
Sri Partha Pratim Pyne, Chief General Manager
(Operation) and another

Mr. Rajarshi Dutta,
Mr. A. Agarwal,
Mr. Niloy Sengupta,
Mr. Sujit Banerjee

.... for the petitioners

Mr. Amit Kr. Nag

.... for the alleged contemnors

- 1.** The petitioners allege that in willful violation of the order dated February 16, 2024 passed in WPA No. 16220 of 2023 and the connected application, the alleged contemnors have allocated a further Tank Trucks on subsequent dates.
- 2.** It is contended by learned counsel for the alleged contemnors that regarding the transportation taking place subsequent to the order-in-question, work order had already been issued in the month of January, 2024, that is, prior to the order. It is pointed out that the parent order restrained the respondent-authorities from allocating any further Tank Trucks and/or from issuing any work orders on any such allocations if already

made in favour of ATF Tank Trucks for work contemplated in the tender-in-question.

- 3.** Upon a perusal of the materials on record and hearing learned counsel, I am satisfied that there has been no violation of the order dated February 16, 2024.
- 4.** The purport of the said order was that no further new allocation would be made and/or work order would be issued, if not already done prior to the said order. In the present case, the work order(s)-in-question had already been issued prior to the order of this court and, as such, there is no violation in terms of the order of this court.
- 5.** Thus, there is no scope of entertaining the contempt application.
- 6.** Accordingly, CPAN 358 of 2024 is dismissed in the light of the above observations.
- 7.** There will be no order as to costs.
- 8.** Urgent photostat certified copies of this order, if applied for, be made available to the parties upon compliance with the requisite formalities.

(Sabyasachi Bhattacharyya, J.)