

20.09.2024

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**IN THE HIGH COURT AT CALCUTTA
SPECIAL CIVIL JURISDICTION
(CONTEMPT)
APPELLATE SIDE**

CPAN 764 of 2022

In

WPA 16929 of 2021

Smt. Pabitra Bauri

-Vs-

Shir Ambika Prasad Panda & Ors.

Mr. Partha Ghosh,
Mr. Amal Kumar Datta,
Ms. Simran Sureka,
Mr. Debashis Das

.... for the petitioner

Mr. Manik Das

... for the alleged contemnors

The contempt application arises out of an order dated 18th April, 2022 passed in WPA 16929 of 2021. During the pendency of the contempt application, the principal respondent in the writ petition being the Eastern Coalfields Limited (in short, 'ECL') preferred an appeal assailing the order under contempt, which was numbered as FMA 120 of 2023 (M/s. Eastern Coalfields Limited Vs. Smt. Pabitraa Barui & Ors.). The said appeal along with the connected applications were dismissed as withdrawn on 17th September, 2024. The petitioner in this contempt application has placed the order dated 17th September, 2024, which is taken on record. It appears from the said order that the Hon'ble

Division Bench was informed about the pending contempt application and as such, the Hon'ble Division Bench has passed the following direction in the order dated 17th September, 2024:

“5. In such circumstances, since the contempt petition is pending, parties are at liberty to take appropriate steps before the Court in which the contempt petition is pending.”

The matter was mentioned thereafter and as such, has been brought into the list.

In view of withdrawal of the appeal, there is no embargo in enforcing the order under contempt. It is submitted by the petitioner that the principal respondent in the writ petition being ECL has deposited the principal sum along with accrued interest on 31st October, 2022 with the Registrar General, High Court, Calcutta. Since the appeal has been withdrawn, let the petitioner receive the money deposited with the Registrar General, High Court, Calcutta to the credit of the writ petition and the contempt application against which a receipt challan has been issued on 31st October, 2022 along with accrued interest.

The Registrar General, High Court, Calcutta is directed to release the said amount along with accrued interest, if any, in favour of the petitioner, by premature encashment of the fixed deposit wherein it may have been invested. The payment shall be released by 4th October, 2024.

With the payment being made to the petitioner, the contempt proceedings will come to an end and the contempt application will automatically stand disposed of without any further order.

(Arindam Mukherjee, J.)