

04.12.2024.
Court No. 13
Item No. 3
ap

CPAN 1568 of 2024
In
W.P.A. No. 13750 of 2024

Mahasin Khan
Versus
Biswanath Chowdhury, The Certificate Officer,
Howrah & Ors.

Mr. Rananessh Guha Thakurta,
Ms. Senjuti Sengupta,
Ms. Dipa Roy.

...For the petitioner.

Mr. Bipin Ghosh.

...For the alleged contemnors.

Mr. Soumya Majumdar, Id. Sr. Advocate,
Mrs. Amrita Pandey,
Ms. Anamika Pandey,

...For the Delta Limited.

1. In terms of the earlier order of this Court, the balance amount has been paid.
2. The Drawer, namely, M/s. Olisa Reality Limited shall assist the petitioner for correction of the name of the Demand Draft, if necessary. The payee Bank shall, however, honour the draft presented by the petitioner.
3. In those circumstances, the personal appearance of the alleged contemnors is dispensed with.
4. The balance amount towards compound interest as ordered by the Certificate Officer, Howrah, shall be recovered in terms of the applicable Rules and Procedures under the Payment of Gratuity Act.
5. The quantum shall, however, be communicated both to the petitioner and M/s. Olisa Reality Limited.

M/s. Delta Limited shall be afforded a personal hearing by the Certificate Officer, Howrah against the quantum assessed by him and the Certificate Officer, Howrah is permitted to arrive at a reasonable figure as he deems fit and proper in the facts of the case.

6. Let all further proceedings for Certificate Officer, Howrah be completed within a period of two months from date.

7. It is made clear that in the event the petitioner has to approach this Court afresh in contempt, the actual costs thereof shall be borne by M/s. Delta Limited and M/s. Olisa Reality Limited.

8. With the aforesaid directions, the instant contempt application shall stand disposed of.

9. Rule, if any, shall also stand discharged.

10. There will be no order as to costs.

11. All parties are directed to act on a server copy of this order duly downloaded from the official website of this Court.

(Rajasekhar Mantha, J.)