

OD-3

IN THE HIGH COURT AT CALCUTTA
Special Jurisdiction (Contempt)
(Commercial Division)
ORIGINAL SIDE

CC-COM/15/2024
WITH
AP.COM/519/2024

REGISTRAR ORIGINAL SIDE HIGH COURT CALCUTTA
VS
SANDEEP SINGH (ADMN OF THE RANCHI M.C.) AND
RAVINDRA KUMAR(DY ADMN OF THE RANCHI M.C))

BEFORE:

The Hon'ble JUSTICE SABYASACHI BHATTACHARYYA

Date : 20th December, 2024

Appearance:
Mr. Swatarup Banerjee, Adv.
Mr. Sariful Hqaue, Adv.
Mr. Saubhik Chowdhury, Adv.
...for the petitioner

Mr. Krishnaraj Thaker, Sr. Adv.
Mr. Meghajit Mukherjee, Adv.
Mr. R. Agarwal, Adv.
...for the respondent

The Court:- It transpires that an amount of Rs.4 crores has been paid by the Ranchi Municipal Corporation to the petitioner.

However, further appropriate orders in order to enable the sale of the asset in favour of the Ranchi Municipal Corporation by the petitioner, by whatever mode, can happen only in the principal application under Section 9 of the Arbitration and Conciliation Act, 1996, since it is beyond the contempt court's jurisdiction to pass any orders in that regard.

Accordingly, the parties are at liberty to approach the Section 9 court for getting appropriate orders. The demand draft handed over by the Ranchi Municipality Corporation to the petitioner shall not be encashed without any order of the Section 9 court in that regard. Such demand draft and encashment thereof shall be subject to whatever order may be passed by the court taking up the Section 9 application.

However, insofar as the contempt is concerned, on the facts of the case, the contempt has been purged.

The petitioner will also be at liberty to approach the Section 9 court for obtaining orders in respect of renewal of the bank draft, if so required.

Accordingly, CC-COM/15/2024 stands disposed of in the light of the above observations.

(SABYASACHI BHATTACHARYYA, J.)