
IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION
CONTEMPT PETITION NO. 614 OF 2024
IN
WRIT PETITION NO.11719 OF 2023

Parag Milk Foods Ltd

.. Petitioner

Versus

Rajesh Kumar & Ors

.. Respondents

Mr.Kayval Shah, Advocates for the Petitioner.

Mr.S. D. Vyas, Addl.G.P. with Pooja Joshi Deshpande,
Advocates for the Respondents.

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CORAM: B. P. COLABAWALLA &
SOMASEKHAR SUNDARESAN, JJ.
DATE: DECEMBER 16, 2024

P. C.

1. This Contempt Petition has been filed alleging contempt of the order passed by this Court on 26th August 2024 by another Division Bench of this Court. By the said order, the Respondents, namely, the State Authorities were directed to release in favour of the Petitioner, the export subsidy amount of Rs.8,08,50,000/-, within a period of six weeks from the date of the said order. Since the aforesaid payment had not been made in compliance with the direction of this Court, the above Contempt Petition is filed.

2. Today when the matter is called out, we have noted that the amount of Rs.8,08,50,000/- has been paid to the Petitioner through RTGS. An amount of Rs.1,53,68,750/- was paid on 29th November 2024. Further an amount of Rs.6,54,81,250/- was paid on 10th December 2024. Considering the aforesaid payments, although belatedly, we find that the order passed on 26th August 2024 is now duly complied with.

3. In these circumstances, the learned counsel appearing on behalf of the Petitioner fairly stated that he does not wish to press the above Contempt Petition and the same can be accordingly disposed of. In these circumstances, and considering that no show cause notice was issued in the above Contempt Petition, the above Contempt Petition is disposed of as not pressed.

4. At this stage, Ms.Vyas, the learned Additional GP for the Respondents stated that they are in the process of challenging the order dated 26th August 2024 before the Hon'ble Supreme Court. The payment made ought not to, in any way, affect the merits of the aforesaid challenge.

5. It is needless to clarify that nothing in our disposal of the Contempt Petition will affect the merits of the challenge that the State proposes to take against the order dated 26th August 2024. The parties will naturally then abide by all further directions given by the Hon'ble Supreme Court.

6. This order will be digitally signed by the Private Secretary/ Personal Assistant of this Court. All concerned will act on production by fax or email of a digitally signed copy of this order.

[SOMASEKHAR SUNDARESAN, J.] [B. P. COLABAWALLA, J.]