

July 14, 2025

2 ARDR

CRLCP 10 of 2025

In Re : An Application for contempt.

And

In Re : M/s. Eastern Tyre Service

... applicant.

Adv. Avijit Ghoshal,

... for the applicant.

Affidavit of service filed on behalf of the applicant is taken on record.

None appears for the alleged contemnors despite service.

By the order passed on 11th November, 2024, this Court directed the learned trial Court to take necessary steps for securing the attendance of the accused/opposite parties before him and conclude the trial as expeditiously as possible without granting any unnecessary adjournment to either of the parties, in accordance with law.

Learned counsel for the applicant submits that the alleged contemnors who are the accused/opposite parties before the learned trial Court has not surrendered before the learned trial Court and warrant of arrest is pending against them.

This Court fails to understand why the accused/opposite parties have been labelled as alleged contemnors in the contempt application. The order under contempt was a direction upon the learned trial Court and under no circumstance can it be said that the accused/opposite parties have violated the said order.

In view of the above, this Court is inclined to hold that the contempt application is not maintainable.

Accordingly, CRLCP 10 of 2025 is dismissed, being not maintainable.

Urgent certified website copy of this order, if applied for, be given to the parties, upon compliance with all requisite formalities.

(Suvra Ghosh, J.)