

AD-08
Ct No.10
03.09.2025
TN

CPAN 628 of 2023
in
WPA 3167 of 2023

B. M. Construction and another
Vs.
Mr. D. Chatterjee

Mr. Nandadulal Bandyopadhyay
....for the petitioners

Mr. Sumit Roy
....for the alleged contemnor

1. The reply to the affidavit-in-compliance, filed by the petitioners today, be kept on record.
2. Learned counsel for the petitioners argues that the alleged contemnor has flouted the direction of this Court to consider the representation of the petitioners to be given work as an enlisted contractor of the WBSEDCL.
3. Learned counsel for the alleged contemnor places reliance on Annexure-R1 at page-6 of the affidavit-in-compliance filed by the alleged contemnor and contends that the representation of the petitioners has been duly considered and disposed of by giving a reasoned order in writing.
4. It is also alleged that the petitioner himself was guilty of theft, for which he was not given any work.

5. Learned counsel for the petitioners disputes the said allegation and submits that the complaint lodged against the petitioners on the ground of theft has since been closed.
6. Be that as it may, insofar as the contempt application is concerned, since the alleged contemnor has duly complied with the order of this Court by considering the representation of the petitioners and disposing of the same by a speaking order in writing, no contumacious act has occurred.
7. Accordingly, CPAN 628 of 2023 is dismissed.
8. It is made clear that nothing in this order shall prevent the petitioners from challenging the refusal on the part of the WBSEDCL to award further work to the petitioners on merits on the basis of the subsequent cause of action which has arisen out of the refusal of such request of the petitioners by virtue of the speaking order dated March 21, 2023.
9. There will be no order as to costs.

(Sabyasachi Bhattacharyya, J.)