

30.01.2026

Court No.39

Item No.1 - 3

(PP)

**IN THE HIGH COURT AT CALCUTTA
CIRCUIT BENCH AT JALPAIGURI
CIVIL APPELLATE JURISDICTION**

**RVW 26 of 2026
with
IA No: CAN/1/2025**

The General Manager/Officer-in-Charge, Sub-District Industrial Centre, Siliguri, Government of West Bengal, Directorate of Micro & Small Scale Enterprises

Vs.

M/s. North East Ferro Alloys Company Private Limited & Anr.

in

MAT 1 of 2020

West Bengal State Electricity Distribution Company Limited & Ors.

Vs.

M/s. North East Ferro Alloys Company Private Limited & Anr.

in

MAT 73 of 2024

M/s. North East Ferro Alloys Company Private Limited & Anr.

Vs.

West Bengal State Electricity Distribution Company Limited & Ors.

WITH

CPAN 77 of 2025

M/s. North East Ferro Alloys Company Private Limited & Anr.

Vs.

Abhishek Basak

WITH

RVW 27 of 2025

with

IA No: CAN/1/2025

The General Manager/Officer-in-Charge, Sub-District Industrial Centre, Siliguri, Government of West Bengal, Directorate of Micro & Small Scale Enterprises

Vs.

**M/s. North East Ferro Alloys Company
Private Limited & Anr.**

Mr. Krishna Raj Thakker, Sr. Adv.,
Mr. Rajdeep Mantha,
Mr. Chhunky Agarwal,
Mr. Ajoy Kumar Singhania,
Mr. Akshay Kumar Jain Suykhari
....for the applicants/appellants.

Mr. Naba Kumar Das,
Mr. Subhabrata Das
....for review applicants/ alleged contemnor.

Re: CPAN 77 of 2025

Affidavit of service filed in Court today is taken on record.

The alleged contemnor is represented.

It is submitted by the alleged contemnor that the principal respondent in the appeal wherefrom the order under contempt emanates has filed review petitions and as such, this Court should adjourn this matter to enable the principal respondent in the writ petition, being appellant in MAT 1 of 2020 as also the respondent in MAT 73 of 2024 to move the review petitions on merits.

The two review petitions as appear from the report filed by the Stamp Reporter have been filed after 153 days from the stipulated time available for preferring the review. There is inter alia no application for condoning the delay in filing the review petitions under the provisions of Section 5 of the Limitation Act, 1963 the delay.

The petitioners in the contempt application and the appellants in MAT 73 of 2024, on the other hand, contend that as on date without the delay being condoned there is no subsisting review petition on record. It is also submitted on behalf of the petitioners that the certified copy of the order impugned had been applied for much after expiry of the initial direction contained in the order impugned for making payment of the money directed to the petitioners. The petitioners in contempt application, therefor, invite us to issue a rule.

After hearing the parties and considering the materials on record, we do not approve the conduct of the review applicants in only filing the memorandum of review without any application for condonation of delay though there has been an admitted delay. However, but for the ends of justice, we adjourn the contempt application till 13th March, 2026.

The review applicants shall file an application for condonation of delay by 13th February, 2026 and serve a copy thereof to the petitioners in the contempt application.

If such application is filed and served, the petitioners in contempt application shall be at liberty to use an affidavit by 27th February, 2026. Reply, if any, thereto by 11th March, 2026.

Since the matter is taken up in the Bench at principal seat and this matter relates to the Circuit

Bench at Jalpaiguri, the parties will be entitled to affirm and file their respective pleadings before the principal Bench for convenience.

(Partha Sarathi Chatterjee, J.)

(Arindam Mukherjee, J.)