

IN THE HIGH COURT AT CALCUTTA
ORIGINAL SIDE
Special Jurisdiction [Contempt]

CC/78/2023

RAJASTHAN FERTILIZERS AND CHEMICAL CORPORATION LIMITED
VS
MR PROJAY SINGHA ROY AND ORS

Before:

The Hon'ble Justice RAVI KRISHAN KAPUR

Date: 24th March 2025

Appearance:
Ms. Urmila Chakraborty, Adv.,
Ms. P. Banerjee, Adv.
Ms. Subika Paul, Adv.
Ms. Sonali Pal, Adv.
...for petitioner.

The Court: This is an application alleging violation of an order dated 6 May, 2022. The petitioner alleges violation of an order whereby the alleged contemnors were directed to make payment. Despite repeated directions and orders of warrant of arrest being passed the alleged contemnors remain unrepresented.

It is submitted on behalf of the petitioner that a proceeding for adjudication of mesne profits is pending. There are also separate proceedings challenging the eviction decree which are pending. The parties are litigating in different fora.

For convenience, the order dated 6 May 2022 reads as follows:

“Without prejudice to the rights and contentions of the parties, the defendant undertakes to pay a sum of Rs.1,25,000/- (alongwith GST) on account of occupational charges of the suit premises to the petitioner till the pendency of this application. Insofar as the arrear occupational charges are concerned it is submitted by the defendant that the last paid occupational charges was till March, 2020. The defendant undertakes to pay the arrear occupational charges since April 2 2020 till April 2022 in twelve equal monthly installments the first of which shall commence from May 2022. Let this matter appear in the monthly list of June 2022. Liberty is granted to the petitioner to mention this matter in case of default of any one of the installments”.

Diverse orders have been passed from time to time. Despite having furnished repeated assurances, the alleged contemnors have not paid the said amounts. It is alleged that a sum in excess of Rs. 86 lacs is due and payable. In view of the failure of the alleged contemnors to be present in Court notwithstanding the undertaking dated 11 November 2024, let warrants of arrest be issued against the alleged contemnors.

Let this matter appear in the monthly list of May 2025.

In the meantime, the concerned Police Authorities are directed to ensure production of the alleged contemnors on or before the returnable date.

(RAVI KRISHAN KAPUR, J.)

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