

OCD-4

ORDER SHEET

IN THE HIGH COURT AT CALCUTTA
Special Jurisdiction (Contempt)
ORIGINAL SIDE

[COMMERCIAL DIVISION]

CC/53/2022
With
CS/50/2020

SALT LAKE SOCIETY FOR HOTEL MANAGEMENT AND ANR.
-VS-
GAZI MURSHIDUL AREFIN AND ORS.

BEFORE:
The Hon'ble JUSTICE KRISHNA RAO
Date : February 17, 2025.

Appearance:

Mr. Soumabho Ghose, Adv.
Ms. Tiana Bhattacharyya, Adv.
Mr. Raunak Das Sharma, Adv.
Ms. Sampurna Mukherjee, Adv.
...for the petitioners

Mr. Aritra Basu, Adv.
Mr. Rajesh Upadhyay, Adv.
Ms. Surabita Biswas, Adv.
...for the alleged contemnors

The Court: Mr. Soumabho Ghose, learned counsel, is appearing for the petitioners.

Mr. Aritra Basu, learned counsel, is appearing for the alleged contemnors.

In terms of the order passed by this Court, the alleged contemnors have filed their supplementary affidavit. In the supplementary affidavit, the alleged contemnors have stated as follows:

“I hereby state that I shall not use the logo and/or mark
“IIHM” in any manner whatsoever. I also hereby stated that

my firm, Indian Institute of Hotel Management, wherein I am a partner, the Contemnor No.3, shall not use the mark and/or logo “IIHM” in any manner whatsoever. That apart, I also state that I shall not use the domain name www.iihmkolkata.com in any manner whatsoever. I undertake that I shall comply with the order dated September 3, 2021 passed by this Hon’ble Court.”

Counsel for the petitioners submits that the alleged contemnors have not affirmed with regard to the contention made in paragraph 5 of the supplementary affidavit.

Counsel for the alleged contemnors submits that the statement made in paragraph 5 is the submission of the alleged contemnors which is already recorded in paragraph 10 of the said affidavit and he submits that may be treated as the submission of the alleged contemnors.

Considered the submission made by the counsel for the respective parties.

This Court by an order dated 17th January, 2025 has directed the alleged contemnors to file affidavit stating that they will not use logo/mark “IIHM” and to comply with the interim order passed by this Court. The alleged contemnors have filed their supplementary affidavit in compliance of the order dated 17th January, 2025. Accordingly, this Court has treated the said statement made in paragraph 5 of the supplementary affidavit as an undertaking of the alleged contemnors.

In view of the above, the supplementary affidavit filed by the alleged contemnors is accepted.

This Court finds that nothing remains in the present application.

Accordingly, CC/53/2022 is disposed of.

Rule, if any, issued is discharged.

(KRISHNA RAO, J.)

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