

AD -1
Ct No.16
06.03.2026
(SSS)

CPAN 340 of 2023
in
WPA 8916 of 2022

Jyotish Chandra Rice Mill and Anr.

Vs.

Hakim Molla, the Station Manager, West Bengal State
Electricity Distribution Company Ltd. and Anr.

Mr. Sayan Chattopadhyay,
Mr. Suprava Jana,
Mr. Ayanava Acharya,
Ms. Sushama Hansda

.....For the petitioners.

Mr. Srijan Nayak,
Mr. Sujit Sankar Koley

...For the alleged contemnors.

1. Learned counsel for the appellants hands over a copy of a judgment passed in an appeal preferred against the parent order dated February 4, 2026, whereby the Division Bench has affirmed the order of this Court “in its entirety” and has been pleased to issue further directions to the effect that “the principal supplemental demand (crystallized at Rs.47,06,213/-) is declared null and void, the licensee shall delete and waive the entire LPSC of Rs.32.72 lakhs and all associated interest, the sum of Rs.11,70,855/- deposited

under protest shall be adjusted against future bills and all disconnection notices are quashed”.

2. Learned counsel for the petitioners submits that despite the same, the alleged contemnor has not been complying with the order of this Court, as merged in the appellate Court’s judgment.

3. Learned counsel for the alleged contemnors submits that since the order of this court has merged in the order passed in appeal and in view of the further directions passed by the Division Bench, it is doubtful as to whether the contempt application is maintainable before this Bench.

4. Secondly, it is submitted that the respondents in the main writ petition (appellants in the appeal) have taken steps to prefer a Special Leave Petition against the judgment of the Division Bench as well.

5. Accordingly, further time is sought in the contempt application.

6. Insofar as the first argument of the alleged contemnor is concerned, this Court is of the opinion that in view of the parent order of this Bench having been affirmed “in its entirety”, by application of the doctrine of merger, the order of this Court has merged with the appellate judgment. The law is well settled that a contempt application will lie in such circumstances before

the learned Single Judge. Hence, the contempt application pending before this Bench is still alive.

7. However, in view of the submission of the alleged contemnors that steps have been taken to prefer a challenge by way of an SLP before the Hon'ble Supreme Court, for the sake of judicial propriety, let the contempt application stand adjourned till April 10, 2026 in order to enable the alleged contemnors to obtain appropriate orders from the Hon'ble Supreme Court, if any.

8. The copy of the judgment of the Division Bench judgment, handed over in court today, be kept on record.

(Sabyasachi Bhattacharyya, J.)