

High Court At Calcutta
In The Circuit Bench at Jalpaiguri
Appellate Side

01 **10.07.25**
Ct. No.24
Sws.M

CPAN 11 of 2025
in
CO 166 of 2024

CAN 3 of 2025

M/s. Shyam Impex
Vs.
Indian Bank & Anr.

Mr. Abhimanyu Banerjee
Mr. Atanu Ghosh
Ms. Priyanka Yadav

...for the applicant

The instant proceeding of contempt was preferred by the petitioner for alleging deliberate violation of an order of this Court passed on September 25, 2024 in CO 166 of 2024 by the alleged contemnor.

Learned counsel appearing for the petitioner/applicant submits that by passing the order under contempt this Court has stayed the operation of impugned order dated August 7, 2024 passed by the learned DRT, Siliguri.

It is the contention of the petitioner that the alleged contemnor not complied with the order of this Court but they proceeded before the District Magistrate, Jalpaiguri under Section 14 of the SARFAESI Act, 2002. It is the further contention of the petitioner that the alleged contemnor has submitted before the District Magistrate with affidavit that no proceeding is pending in respect of the challenge of the petitioner under Section 13(4) of the SARFAESI Act, 2002.

Having heard learned counsel for the appellant/petitioner and considering the order under contempt, it appears to me that there is substance to accept the instant contempt application.

Accordingly, the contempt application be admitted.

The petitioner is directed to serve upon the alleged contemnor.

Let the matter go out of the list.

Parties are at liberty to mention the matter after completion of service.

(Subhendu Samanta, J)