

ORDER SHEET

IN THE HIGH COURT AT CALCUTTA
SPECIAL JURISDICTION (CONTEMPT)
COMMERCIAL DIVISION
ORIGINAL SIDE

CC-COM/6/2024

CABCON INDIA LIMITED
-VS-
DIWAKAR SHARMA AND ORS.

BEFORE:

The Hon'ble JUSTICE KRISHNA RAO

Date : June 11, 2025.

Appearance :

Mr. Shuvasish Sengupta, Adv.
Mr. Balarko Sen, Adv.
Ms. Akansha Chopra, Adv.
Ms. Siddhi Agarwal, Adv.
... for the petitioner

Mr. Aurin Chakraborty, Adv.
Mr. Abhishek Kabir, Adv.
... for the alleged contemnors

1. Mr. Balarko Sen, learned Advocate, is appearing for the petitioner.
2. Mr. Aurin Chakraborty, learned Advocate, is appearing for the alleged contemnors.
3. It is found from the record that several opportunities have been given to the alleged contemnors to file affidavit of compliance but one or the other reason, the alleged contemnors are taking time. Today also when the matter is called, no affidavit is filed and the learned counsel for the alleged contemnors submits that one of the representatives of the alleged contemnors, namely, Yogesh Sharma is under medical treatment. This Court has gone through the medical documents relied by the alleged contemnors. It is found that the medical

document is of one Yogesh Sharma who is not the alleged contemnor and he is also not the director of the alleged company.

4. Considering the above, this Court finds that the alleged contemnors are avoiding to file affidavit of compliance as per the direction passed by this Court in spite of several opportunities given to the alleged contemnors.
5. In view of the above, the alleged contemnors, namely, Diwakar Sharma, Dipesh Godha and Rajesh Pipalwa are directed to appear before this Court in person on 19th June, 2025 at 10:30 am.
6. The petitioner is directed to communicate this order to the alleged contemnors and to file affidavit of service on the next date fixed.

(KRISHNA RAO, J.)