

OCD-11

ORDER SHEET

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

[Commercial Division]

CC-COM/6/2024
IA NO: GA-COM/1/2025

CABCON INDIA LIMITED
-VS-
DIWAKAR SHARMA AND ORS.

BEFORE:

The Hon'ble JUSTICE KRISHNA RAO

Date : January 7, 2025

Appearance:

Mr. Shuvasish Sengupta, Adv.
Mr. Balarko Sen, Adv.
Ms. Pritha Basu, Adv.
Mr. Saptarshi Kar, Adv.
...for the petitioner.

The Court: Mr. Shuvasish Sengupta, learned counsel, is appearing
for the petitioner.

None appears on behalf of the alleged contemnors.

The petitioner has filed affidavit of service. Let the same be kept with
record.

Counsel for the petitioner submits that initially when this Court has
passed an order for issuance of rule upon the alleged contemnors, the
petitioner has taken appropriate steps for issuance of Rule and accordingly,
the Rule was issued but the Deputy Sheriff of Calcutta has submitted the
report stating that the Rule could not be served upon the
contemnors/opposite parties No. 1, 2 and 3 due to unavailability of the
contemnors/opposite parties at the registered address. After the said report,

the petitioner has taken further steps for issuance of fresh Rule by the Sheriff of this Court as well as by Speed Post.

The Rule sent by Speed Post was duly served upon alleged contemnors but the contemnors have not appeared before this Court and this Court has also directed the petitioner to pay convenience charges so as to enable the department to serve the Rule of Contempt upon the alleged contemnors in person.

Counsel for the petitioner submits that the convenience charges is very high due to which the petitioner is not in a position to deposit the same and prayed for publication of the contempt notice in the newspaper at the area where the alleged contemnors are residing.

Considering the above, this Court finds that before passing any order for publication of the notice in the newspaper, the Department should be directed to furnish what would be the convenience charges required to be deposited by the petitioner for service of the Contempt Notice.

Accordingly, the Department is directed to submit the report what would be the convenience charges to be deposited by the petitioner for service of Contempt Notice upon the alleged contemnors. Let the report be filed within a week.

List this matter on 20th January, 2025.

(KRISHNA RAO, J.)

Sbghosh