

OD- 4

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

CC/85/2024

SRI BISWAJIT SANTRA
VERSUS
DHAVAL JAIN AND ORS.

BEFORE:

The Hon'ble JUSTICE RAI CHATTOPADHYAY

Date : 19th September, 2024.

Appearance:

Mr. Rajarshi Dutta, Adv.

Mr. Shubradip Roy, Adv.

...for the petitioner

Mr. Arijit Dey, Adv.

...for the alleged contemnor

The Court: Mr. Rajarshi Dutta and Mr. Shubradip Roy appear for the petitioner.

Mr. Arijit Dey, learned Advocate appears for the alleged contemnor.

Mr. Roy submits that not only the alleged contemnor has willfully violated the Court's order dated 27th February, 2024 but also has threatened the petitioner to be prepared with the consequences of moving the Court in a contempt proceeding.

It is submitted further that pursuant to the service of a copy of the order upon the alleged contemnor, an inspection was held at the disputed premises. However, no resolution or report was drafted or ever handed over to the present petitioner in order to ascertain, if there is any installation or construction over the said premises.

Therefore, the Court is of firm opinion that the order dated 27th February, 2024 is yet to be complied with by the alleged contemnor and since the time-limit has already expired for him to comply with the order as above, there is sufficient prima facie material for the Court to understand about contempt of Court's order dated 27th February, 2024.

In such circumstances, it is found proper to direct the petitioner to serve a copy of this petition upon the alleged contemnor and file affidavit of service in Court on the next date.

Let this matter appear in the list on 5th November, 2024.

(RAI CHATTOPADHYAY, J.)

sg.