

ITEM NO.69

COURT NO.3

SECTION XV

S U P R E M E C O U R T O F I N D I A  
RECORD OF PROCEEDINGS

Petition(s) for Special Leave to Appeal (Civil) No(s).1857/2008

(From the judgement and order dated 04/12/2007 in CO No. 2186/2007  
of The HIGH COURT OF CALCUTTA)

INTER GLOBE AIR TRANSPORT Petitioner(s)  
VERSUS  
SUSANTA ROY Respondent(s)

(With office report)  
WITH CONMT.PET.(C) NO. 294 of 2009 In SLP(C)No.1857/2008  
(With office report)

Date: 23/11/2009 These Petitions were called on for hearing today.

CORAM :  
HON'BLE MR. JUSTICE TARUN CHATTERJEE  
HON'BLE MR. JUSTICE SURINDER SINGH NIJJAR

For Petitioner(s) Mr. Ranjan Mukherjee,Adv.

For Respondent(s) In-Person

UPON hearing counsel the Court made the following  
O R D E R

CONMT.PET.(C) NO. 294 of 2009 In SLP(C)No.1857/2008

This is to consider an application for contempt filed at the  
instance of Sh. Susanta Roy, who is appearing in person and Mr.  
Ranjan Mukherjee, learned counsel appearing for Inter Globe Air  
Transport, which is the petitioner in the Special Leave Petition.

After hearing Sh. Roy in person and Mr. Mukherjee, learned  
counsel for the petitioner and after going through the allegations  
made in the application for Contempt, we do not find any reason to  
initiate contempt proceeding against the petitioner. It is an

admitted position that the parties have agreed to a final

settlement for a sum of Rs.4,75,000/- payable to Sh. Susanta Roy in  
full and final settlement of his claims before the Supreme Court

Lok Adalat. It is also not in dispute that Sh. Roy has already  
received a sum of Rs.4,23,500/- by cheque from Inter Globe Air

Transport. The application for contempt has been filed on the  
allegation that although Sh. Roy has agreed in full and final  
settlement for a sum of Rs.4,75,000/-, but he has received a cheque

of Rs. 4,23,500/- on protest.

It is also not disputed that a sum of Rs.51,500/- has been deposited by Inter Globe Air Transport with the Income Tax authorities against the income tax payable on the aforesaid sum of Rs.4,75,000/- of the applicants. Mr. Mukherjee, learned counsel appearing for the petitioner hands over a copy of the Challan/receipt showing deposit of Rs.51,500/- with the Income Tax authorities to Sh. Susanta Roy, who has acknowledged receipt of the same.

Since Rs.51,500/- was deducted as Income Tax from the amount of Rs.4,75,000/- and deposited with the Income Tax authorities, we feel it proper to grant liberty to Sh. Roy to apply for refund of the amount that has been deducted as Income Tax liability of Sh. Roy if under the law, he is entitled to get such refund.

The Contempt application filed by Sh. Roy and the Special Leave Petition are hereby disposed of. There will be no order as to costs.

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( Satish K.Yadav )  
Court Master

( Phoolan Wati Arora )  
Court Master