

S. G. Mazumdar

Vs

B. K. Lala

Criminal Appeal No. 97 of 1967

(S. M. Sikri, V. Ramswami-I JJ)

30.04.1969

ORDER

1. After some arguments are advanced on behalf of the appellant Mr. Sukumar Mitra has tendered an unqualified apology on behalf of his client for the language used by the appellant in the notice under Section 80, Civil Procedure Code. We accept the apology and are of the view that no further action by way of punishment for contempt of court need be taken.
2. We may however, observed that this apology has been tendered by him subject to his right to prosecute the suit which he says he has filed in the High Court of Calcutta on the original side. The fine imposed by the High Court, if paid, is ordered to be refunded.

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