

11-06-2026

Item no.8 wt.9

**Subrata
Bhattacharyya**
AR(C)

In the High Court at Calcutta

Special Civil Jurisdiction

Appellate Side

RVW No.33 of 2026

Howrah Municipal Corporation & Ors.

-vs-

Khalil Ahmed & Anr.

with

CAN No.1 of 2026

in

CPAN No.672 of 2024

Surit Kumar Mukhopadhyay & Ors.

-vs-

Khalil Ahmed & Anr.

arising out of

WPA No.19565 of 2023

Mr. Subir Sanyal, sr. adv.

Mr. Sandipan Banerjee, adv.

Mr. Ankit Sureka, adv. ...for RVW/contemnors

Mr. Tanmoy Mukherjee, adv.

Mr. Souvik Das, adv.

Mr. Rudranil Das, adv.

Mr. Abul Mullick, adv. ...for CPAN/petitioners

1. The application for review at the instance of the Howrah Municipal Corporation is taken up for consideration.
2. Submission of the Corporation is that the officials and the functionaries of the Corporation are not impleaded as contemnors in the contempt application and that the contempt application is not maintainable against the Corporation.
3. From the documents placed before this Court, it appears that the Corporation was a party in the writ petition. The matter relates to payment of terminal dues of the employees of the Corporation. The

petitioners claim to be appointed initially in the year 1985 onwards. Their service has been regularized since 2008.

4. According to the Corporation, excess amount has been paid to the petitioners which they are not entitled to receive in accordance with law. The employees of the Corporation have filed an undertaking for refund of the excess amount, if any.
5. It has been brought to the notice of the Court that a fresh writ petition at the instance of the petitioners has been filed challenging the act of the Corporation seeking recovery of the excess amount and is pending disposal.
6. In the writ petition from where the contempt arises, direction was passed upon the Corporation to forward all documents relating to the service of the petitioners starting from their initial date of appointment to the Principal Secretary, Urban Development & Municipal Affairs Department. The PPO has since been issued in favour of most of the petitioners barring a few of them. The petitioners are getting their basic pension, but the other amount mentioned in the PPO has been withheld.
7. A compilation of the PPO of the petitioners has been placed before this Court by the learned advocate for the Corporation. It appears therefrom that certain amount has been deducted on account of overdrawn payment. The petitioners are aggrieved by the same.
8. The Court is of the opinion that deduction of any amount from the PPO on account of overdrawal gives rise to a fresh cause of action which cannot be adjudicated in the contempt proceeding.
9. In view of the above, the contempt application and the review application both stand disposed of. All connected applications are, consequently, disposed

of. The order under review dated January 15, 2026 stands recalled.

10. It will be open for the petitioners to initiate fresh proceeding challenging the figures and the deductions mentioned in the PPO before the appropriate forum in accordance with law, if so advised.
11. It is made clear that the Court has not entered into the issue of deduction mentioned in the PPO and all points are left open for the parties to agitate before the competent forum in accordance with law, if so advised.
12. Affidavit-in-reply filed by the review applicants to the opposition filed by the writ petitioners be taken on record.
13. All parties are to act on the server copy of this order duly downloaded from the official website of this Court.
14. Certified copy of this order, if applied for, shall be made available to the parties.

[Amrita Sinha, J]

