

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

CC/30/2026

ANJANA KHARKIA AND ANOTHER
VS
SMT KUSUM JAIN AND ANOTHER

BEFORE:

The Hon'ble JUSTICE REETOBROTO KUMAR MITRA

Date : 3rd July, 2026.

Appearance:

Mr. Sarosij Dasgupta, Adv.
Ms. Amrita Pandey, Adv.
...for the petitioners

Mr. Rupak Ghosh, Adv.
Mr. Shantanu Mishra, Adv.
Mr. Arun Kumar Mishra, Adv.
...for the contemnors.

The Court:- This is an application for contempt for violating the directions contained in the order dated January 21, 2009 as confirmed on July 23, 2018.

Upon notice being served, the contemnors are represented. The contemnors have tendered their unqualified apology for initiating eviction proceeding against the tenants in the ground floor by way of Ejectment Suit No. 147 of 2006 before the Small Causes Court in Calcutta.

Mr. Ghosh, learned Advocate appearing for the respondents submits that the respondents will withdraw the notice of eviction dated January 29, 2006 as

well as the aforesaid ejectment suit. Necessary steps are to be taken in respect thereof and the notice and the suit shall both be withdrawn by July 10, 2026. After withdrawal, the respondents will intimate the petitioner of such withdrawal within a period of three days from the date of withdrawal.

Insofar as the induction of labourers in the first floor of the premises is concerned, there seems to be a dispute as to whether these labourers had been inducted prior to the order of January 21, 2009 or subsequent thereto. This is clearly beyond the realm of the contempt jurisdiction in this case. However, according to Mr. Ghosh, these tenants have been in occupation of the first floor even prior to the order of January 21, 2009.

The petitioners are at liberty to take appropriate steps in the pending suit being CS 254 of 2008.

The respondents are, however, directed not to make any further construction independently or in the garb of making repairs at the said premises.

The charges of contempt are sufficiently addressed. The charges are hence dropped.

CC 30 of 2026 is disposed of on the aforestated terms.

(REETOBROTO KUMAR MITRA, J.)