

D/L
Item No. 06
21.01.2026
KOLE
266330

CPAN 1980 of 2025
In
FMA 2754 of 2015

Kamal Kumar Agarwal & Ors.
-Vs.-
Rajarshi Mitra, Managing Director,
WBHIDCL & Ors.

Mr. Rajarshee Kajaria,
Ms. Vrinda Kedia,

...for the petitioner.

Mr. Jishnu Chowdhury,
Mr. Chayan Gupta,
Mr. S. Siddiqui,
Mr. A. Mitra,

...for the alleged contemnor nos. 1 to 3.

Affidavit of service filed in court today be kept with the records.

Pursuant to service learned Advocates appear for the alleged contemnors.

This contempt application has been taken out alleging willful violation of a judgment and order dated November 3, 2022, whereby several appeals were disposed of. The relevant portion of the said order reads as follows:-

“The appellants will be at liberty to write to HIDCO claiming refund of the monies they had paid to HIDCO in connection with the allotments. HIDCO shall forthwith and in any event within 10 days of receipt of any such written request, refund the principal amount. The appellants may make a request to HIDCO for payment of interest which HIDCO shall consider, keeping in mind the fact that it is an arm of the State and is expected to act fairly and reasonably.”

Learned Advocate for the petitioner says that after filing of the contempt petition, HIDCO has paid back the principal account along with an insignificant component of interest. This violates the spirit and intent of the aforesaid order.

Mr. Chowdhury, learned Senior Counsel, appearing for the alleged contemnors said that his clients will file affidavits in opposition to the contempt petition.

Let such affidavits be filed by 12.02.2026.

Reply, if any, be filed by February 19, 2026.

List the matter once again on February 20, 2026.

(Arijit Banerjee, J.)

(Rai Chattopadhyay, J.)