

ORDER SHEET

CC/28/2024
IN
CS/153/2021

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

ABDUL HADI
VS
MD RIZWAN AND ORS

BEFORE:

The Hon'ble JUSTICE KAUSIK CHANDA
Date : 7th January, 2026

Appearance:

Mr. Ayan Dutta, Adv.
Mr. Abdul Hadi (in person)
..for the petitioner

Mr. Arindam Banerjee, Sr. Adv.
Mr. Shabbir Ali Mirza, Adv.
Mr. Prashant Kumar Singh, Adv.
..for the alleged contemnor nos.1 to 6

The Court: Contemnor Nos. 1 to 6 are personally present.

The Office Report indicates that, owing to the failure on the part of the petitioner to deposit the requisite conveyance charges for service of the Rules upon the alleged Contemnor Nos. 7 to 10, the Rules could not be served upon them.

Let the petitioner file the requisites within a period of three weeks from date.

The Rules against respondent nos.7 to 10 are made returnable on April 8, 2026.

Mr. Arindam Banerjee, Learned Senior Advocate appearing on behalf of the alleged Contemnor Nos. 1 to 6, fairly submits that, in violation of the injunction order dated 22nd February, 2022, at least nine deeds of conveyance have been executed by the alleged contemnors. It is submitted that, due to a communication gap, the said deeds were executed inadvertently, resulting in non-compliance with the injunction order.

Mr. Banerjee further submits that the alleged Contemnor Nos. 1 to 6 are ready and willing to take all necessary steps to undo the transactions effected in violation of the injunction order.

It is further submitted that the Office of the Sub-Registrar, Sakra, Dholi, Muzaffarpur, Bihar, has expressed reservations regarding re-conveyance of the properties without leave of this Court.

In view of the aforesaid, this Court directs the Office of the Sub-Registrar, Sakra, Dholi, Muzaffarpur, Bihar, to permit the alleged contemnors to register appropriate documents for re-conveyance, thereby reversing the transactions carried out in violation of the injunction order dated February 22, 2022.

The question as to whether there has been a deliberate and wilful violation of the injunction order dated February 22, 2022 shall be considered by this Court after taking into account the affidavits to be filed by the alleged contemnors.

Let the alleged contemnors file their respective affidavits in response to the Rules within a period of two months from date. The affidavits shall also disclose the steps taken by the alleged contemnors in the meantime to remedy the violation of the order dated February 22, 2022.

List the matter on April 8, 2026, under the same heading.

The personal appearance of the alleged Contemnor Nos. 1 to 6 is dispensed with until further orders.

(KAUSIK CHANDA, J.)

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