

ORDER SHEET

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

CC/68/2019

MERAJ RASHID
VS
MD. NASIM

BEFORE:
THE HON'BLE JUSTICE ANANYA BANDYOPADHYAY
Date: 25th August, 2026

Appearance:

Mr. Joyak Kumar Gupta, Adv.
Mr. A. Rosul, Adv.
Mr. S. Saha, Adv.
... for the petitioner

Mr. Tarique Quasimuddin, Adv.
Ms. Sanchita Chaudhuri, Adv.
... for the respondent/defendant

The Court:- The applicant in the instant application had referred to the order dated 6th August, 2019 passed by the Co-ordinate Bench of this Court granting of an order of interim injunction which was subsequently confirmed by an order by another Co-ordinate Bench dated 9th November, 2019 to continue till the disposal of the suit being CS/53/2019.

The applicant further submitted that the defendant had filed an application under Section 144(2) of the CrPC before the Court of Learned 10th Metropolitan and Executive Magistrate at Kolkata and obtained an order dated 16th November, 2019, whereby the Officer-in-Charge, New Market police station was directed to see that no breach of peace by opposite party occasioned at the disputed locale, if any. It is the contention of the Learned Advocate representing the plaintiff that despite the order passed by the Co-ordinate Bench of this Court granting permanent injunction not to interfere with the possession of the suit

property till the disposal of the suit, the Officer in charge of the New Market, Police Station along with certain anti socials have visited the suit premises and confronted the possession of the plaintiff to their detriment. The allegations of the plaintiff in the contempt application have been denied by the Learned Advocate representing the defendant in entirety.

The effectivity of the order dated 16th November, 2019 had expired beyond 60 (sixty) days.

The Learned Advocate representing the defendant submitted that trial before the concerned Court had commenced with the witness action in progress.

The contempt application is disposed of with an observation if further disturbance is created to the plaintiff in possession of the suit premises it may be brought to the notice of the concerned Court during the trial of the suit for redressal.

Accordingly, CC/68/2019 is disposed of.

(ANANYA BANDYOPADHYAY, J.)