

ORDER SHEET

IN THE HIGH COURT AT CALCUTTA
SPECIAL JURISDICTION (CONTEMPT)
ORIGINAL SIDE

CC/62/2025

JOHN AUGUSTINE AND ANR

-VS-

PAWAN KUMAR AGARWAL AND ORS.

BEFORE:

The Hon'ble JUSTICE KRISHNA RAO

Date: April 4, 2025.

Appearance:

Mr. Rudraman Bhattacharyya, Sr. Adv.

Mr. Saptarshi Banerjee, Adv.

Ms. Amrita Panja Moullick, Adv.

Mr. Akash Munshi, Adv.

Mr. Suryaneel Das, Adv.

Mr. Siddharth Banerjee, Adv.

Mr. Anish Gupta, Adv.

... for the petitioner

1. Mr. Rudraman Bhattacharyya, learned Senior Counsel, is appearing for the petitioner.
2. The petitioner has filed the present application on the allegation that the alleged contemnors have violated the order passed by this Court dated 20th March, 2025.
3. By an order dated 20th March, 2025, this Court has restrained the respondents, their men, agents, servants and assigns from carrying out any further construction or alienating or dealing or transferring or disposing of the property to any third party till 23rd April, 2025.
4. The order passed by this Court was duly communicated to the alleged contemnors but in spite of receipt of the order, the alleged contemnors are continuing with the construction work and also publishing advertisement for sale of the said property as per price on request.

5. Counsel for the petitioner submits that the alleged contemnors have violated the order passed by this Court and as such Rule be issued upon the alleged contemnors and a Special Officer be appointed for taking possession of the said premises.
6. Heard the learned Counsel for the petitioner. Perused the order dated 20th March, 2025, the photographs showing the construction is going on and the advertisement is being made by the alleged contemnors for sale of property as per price on request.
7. Considering the above, let notice be issued upon the alleged contemnors to show cause within 11th April, 2025 as to why Rule shall not be issued.
8. Mr. Altamash Alim, learned Advocate, Mobile No.: 9163872786, is appointed as Special Officer to visit the suit schedule property and to ascertain whether any construction work over the suit property is going on or not and whether the alleged contemnors have published any advertisement for sale of the said property or not.
9. The Special Officer is directed to visit the property within 24 hours and to submit the report before this Court by 11th April, 2025.
10. In case the Special Officer requires any police assistance at the time of inspection of the premises in terms of this order and if the Special Officer makes any request to the concerned police officer or the jurisdictional police station, namely, Karaya Police Station, the Officer-in-Charge or any of the competent officer of the said police station shall provide necessary police assistance to the Special Officer for inspection of the property in question by the Special Officer so as to enable the Special Officer to prepare the report in terms of this order.

11. The petitioner is directed immediately issue the notice upon the alleged contemnors by speed post.
12. The remuneration of the Special Officer is fixed at Rs. 30,000/- for the initial stage.
13. The Advocate on record of the petitioner is at liberty to communicate this order to the Special Officer as well as to the concerned police station for compliance.
14. Let the matter appear on 11th April, 2025.

(KRISHNA RAO, J)

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