

In the High Court at Calcutta

Special Civil Jurisdiction

Appellate Side

Contempt

04 10.7.2026

Sc Ct. no.38

Case No. : CPAN 1082 OF 2023
in
WPA 27622 OF 2022

In the matter of : Md. Nuhiruddin
.... Petitioner

VS.

Abu Safianal Ahmed,
Head Master, Nashipur High School,
Murshidabad & Ors.

.... alleged Contemnors

For the Petitioner:

Mr. Partha Sarathi Bhattacharyya, Sr. Adv.
Mr. Raju Bhattacharyya.

....Advocates

For the alleged Contemnor No.1:

Mr. Saktipada Jana

....Advocate

Mr. Partha Sarathi Bhattacharyya, learned Senior Advocate appears for the petitioner.

Mr. Saktipada Jana, learned Advocate appears for the alleged contemnor no.1.

This is a contempt proceeding arising from an order dated **February 20, 2023** at **page 31** to this contempt application. The order shows that, the same was restricted **only** with regard to **pensionary benefit** of the writ petitioner.

The parties admit and it shall also be borne from record that, the petitioner has received his due

pensionary benefit and Gratuity for his employment career.

Mr. Partha Sarathi Bhattacharyya, learned Senior Advocate submits that, the Provident Fund has not yet been released though the petitioner had retired on **July 31, 2021**.

Mr. Saktipada Jana, learned Advocate appearing for the alleged contemnor no.1 submits that, on the alleged ground of financial defalcation a criminal proceeding had been initiated against the petitioner after his retirement and the trial is still pending before the jurisdictional criminal Court.

Be that as it may, since the Provident Fund claim is not within the scope of this contempt petition, this Court shall not entertain the same in exercising its contempt jurisdiction.

It is also made clear that, this Court has not expressed any opinion on the claim of the petitioner for Provident Fund dues and the petitioner shall be at liberty to take steps in accordance with law, if so advised.

In view of the above, nothing further survives in this contempt proceeding.

The contempt proceeding, **CPAN 1082 of 2023** stands **dropped** and **closed**.

The application, **CPAN 1082 of 2023**, stands **disposed of**.

(Aniruddha Roy, J.)