

10.11.2022
SL No.1-6
Court No.8
(gc)

CRC 19 of 2022

**Purnima Das
Vs.
Saurabh Kr. Das & Anr.**

With

FMA 1277 of 2015

**The State of West Bengal & Ors.
Vs.
Purnima Das & Ors.**

With

WPCRC 168 of 2022

**Arpita Sarkar
Vs.
Zafar Ajmal Kidwai, Supdt. Of Police, Nadia**

With

WPCRC 169 of 2022

**Smt. Kakali Chakraborty
Vs.
Indevar Pandey & Ors.**

With

WP.ST 447 of 2013

**Arpita Sarkar
Vs.
State of West Bengal & Ors.**

With

**WP.ST 78 of 2014
CAN 1 of 2015 (Old No: CAN 6862 of 2015)**

**Kakali Chakraborty (Dutta)
Vs.
State of West Bengal & Ors.**

Mr. Anjan Bhattacharya,
Ms. Anita Shaw,

...for the petitioner in
CRC 19 of 2022.

Mr. Indranath Mitra,
 Mr. Subhankar Das,
 ...for the petitioner
 in WPCRC 168 of 2022 &
 WP.ST 447 of 2013.

Mr. Sukumar Ghosh,
 Ms. Moumita Ghosh,
 ...for the petitioner in
 WPCRC 169 of 2022 &
 WP.ST 78 of 2014.

Mr. Pinaki Dhole,
 Mr. Avishek Prasad,
 ...for the alleged contemnors.

Re: CRC 19 of 2022
In
FMA 1277 of 2015

Dr. Perumal Ulaganathan, Secretary, Panchayat and Rural Development, Government of West Bengal is personally present in Court in terms of the Rule served upon him in this contempt proceeding.

The alleged contemnor has filed an affidavit disclosing the letter dated 9th November, 2022 from which it appears that Smt. Purnima Das would be appointed to the post of a “Group-D” vacancy under appropriate Exempted Category in PRI set up in the district of Birbhum upon Police Verification and Medical Examination.

The matter is adjourned for two weeks within which time Smt. Purnima Das shall be given appointment with effect from 1st November, 2022.

All formalities with regard to the appointment of the petitioner must be complied with by the adjourned date.

A further compliance report in the form of an affidavit shall be filed by the alleged contemnor on the adjourned date upon prior service to the petitioner.

On an undertaking that the alleged contemnor shall be personally present in Court as and when required and shall file a further affidavit of compliance, the further presence of the alleged contemnor is dispensed with for the time being.

Re: WPCRC 168 of 2022
In
WP.ST 447 of 2013

We are extremely unhappy about the fact that no attempt has been made till date with regard to the appointment of the petitioner to the appropriate post. Mrs. Ishani Paul, Superintendent of Police, Krishnanagar Police District is present in Court. In answer to the Rule, she has filed an affidavit of compliance. However, it appears from the said affidavit that no appointment letter has been issued to the petitioner. On the contrary, it appears that a communication was made to the Deputy Secretary to the Government of West Bengal, Home and Hill Affairs Department, Police Establishment Branch dated 21st September, 2022 requesting the Deputy Secretary to take immediate steps for implementation of the order passed by the Larger Bench. There is nothing on record to suggest that any attempt has been made by the Government of West Bengal, Home and Hill Affairs

Department with regard to the appointment of the petitioner.

In the event the appointment letter is not issued in favour of the applicant/petitioner, we may be constrained to issue notice to the Chief Secretary and the Principal Secretary, Home for non-compliance of our order.

An affidavit of compliance shall be filed on the adjourned date.

The alleged contemnor shall be personally present with the affidavit of compliance on the adjourned date.

Re: WPCRC 169 of 2022
In
WP.ST 78 of 2014

Pursuant to the service of Rule, Ms. Antara Acharya, Secretary, Public Works Department, Government of West Bengal is personally present in Court with an affidavit of compliance. It appears from the affidavit of compliance that the application of the applicant/petitioner was allowed for appointment on compassionate ground to the post of “Group-D” under Public Works Department. An order dated 7th November, 2022 is annexed to the affidavit of compliance.

The alleged contemnor has assured that by the adjourned date appointment letter would be issued to the applicant/petitioner with effect from 1st November, 2022.

A further affidavit of compliance shall be filed by the adjourned date.

All formalities with regard to the appointment of the petitioner must be complied with by the adjourned date.

On an undertaking that the alleged contemnor shall be personally present in Court as and when required and shall file a further affidavit of compliance, the further presence of the alleged contemnor is dispensed with for the time being.

The matters shall be listed on 24th November, 2022 at 2.00p.m.

(Soumen Sen, J.)

(Tapabrata Chakraborty, J.)

(Saugata Bhattacharyya, J.)