

19-03-2021
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C.P.A.N No. 1072 of 2018
In
WPA 6808 of 2018

Ashit Chakraborty
Versus
Narayan Swaroop Nigam

(Via Video Conference)

Ms. Susmita Dey (Basu)
...for the petitioner

Mr. Amal Kumar Sen,
Mr. Sabyasachi Mondal
...for the alleged contemnor

Contempt has occurred of order dated August 17, 2018 passed by a Co-ordinate Bench of this Court (Dr. Sambuddha Chakrabarti, J).

By the said order, the Co-ordinate Bench has held that the petitioner's option for pension exercised after voluntary retirement on July 31, 2017 must be treated as alive and the respondents were directed to process the same and release pension. The said order was carried in appeal (FMA 692 of 2019) by the respondent-Corporation. A Division Bench of this Court by judgment and order dated March 5, 2021 had upheld the order of the Single Bench. A copy of the said judgment may be kept with the record.

Counsel for the Corporation Mr. Amal Kumar Sen submits that the order dated August 17, 2018 as confirmed by the Division Bench has wide

financial implications on the Corporation and it is taking steps to challenge the order of the Hon'ble Division Bench of this Court before the Hon'ble Supreme Court.

Let this contempt application, therefore, stand adjourned and be listed on May 19, 2021.

Rule issued against the contemnor. Service thereof, is dispensed with in view of the presence of Mr. Sen, counsel for the alleged contemnor.

It is made clear that the Managing Director shall be personally present in Court on the adjourned date subject to any interference with the order passed by the Division Bench (supra).

Liberty is granted to the petitioner to amend the cause title.

(Rajasekhar Mantha, J.)