

Ct. 05  
Item No.06  
25.11.2020  
(suvendu)

**CPAN 20 of 2020  
In  
WPA 15078 of 2019**

**(Via Video Conference)**

**Ashok Kumar Hazra  
Vs.  
Sri Kallol Kanti Biswas & Ors.**

Mr. Subhrangsu Panda  
.....for the Petitioner

Mr. S. Chatterjee  
.....for the State

This contempt application has been filed for violation of an order dated 13<sup>th</sup> November, 2019 passed by this Court. The said order was passed in a writ petition filed by the petitioner who retired as a Teacher-in-Charge of the concerned school on 31<sup>st</sup> January, 2018. The writ petitioner had prayed for a direction on the Headmaster and the District Inspector of Schools (SE), Nadia, for processing the pension papers of the petitioner. By the said order, the Headmaster of the concerned school (respondent no. 10) was directed to send the pension papers and other relevant documents of the petitioner to the District Inspector of Schools (SE), Nadia, and upon receipt of the same and on being satisfied, the District Inspector of Schools (SE) was directed to forward the papers of the petitioner to the Director of Pension,

Provident Fund & Group Insurance, Government of West Bengal (respondent no.6). The present contempt application was filed by reason of non-compliance of the directions on the part of the concerned respondents. The matter was heard on 8<sup>th</sup> October, 2020 and learned counsel appearing for the petitioner was directed to give notice to the concerned respondents.

On the returnable date, this Court passed a further order dated 19<sup>th</sup> October, 2020 which noted the non-compliance of the first order passed in the writ petition by all the concerned respondents. The Headmaster, District Inspector of Schools (SE) and the Director of D.P.P.G. were given two weeks from the date of communication of this order to release the admissible pension to the petitioner failing which appropriate steps would be taken. The D.P.P.G. and the Treasury Officer were also directed to file a report as to the amount of pension released to the petitioner on the returnable date.

The affidavit of service shows that all the respondents have been served with the contempt application as well as the order dated 19<sup>th</sup> October, 2020. Despite such service, the Headmaster of the concerned school, being the contemnor no.1, who was to take the first step in processing the pension papers of the petitioner is not present. Learned counsel appearing for the State, being contemnor nos. 2, 3 and 4, submits that the Headmaster may be directed to send the pension

papers and other relevant papers of the petitioner to the District Inspector of Schools (SE).

In view of the above submissions, this Court gives one last opportunity to the contemnor no.1, being the Headmaster of the concerned school, to send the pension and other relevant papers of the petitioner to the District Inspector of Schools (SE) within seven days from the date of communication of this order. The District Inspector of Schools (SE) will in turn assess the papers and on being satisfied will send the same to the D.P.P.G. within two weeks from the receipt of such papers from the Headmaster.

It is made clear that if the directions are not complied with by the concerned respondents, this Court will consider issuing a Rule for contempt of the order on the returnable date.

List this matter after three weeks.

**(Moushumi Bhattacharya, J.)**