

08.01.2021

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ns Ct.04

C.P.A.N.34 of 2019

In

W.P.A. No.14166 of 2012

Dr. Bimal Kumar Goswami.

Versus

Professor Jayasree Roychowdhury & Ors.

Mr. Soumen Bhattacharya ... for applicant.

Mr. Amitava Chaudhuri,
Mr. N. Roy ... for alleged contemner no.3.

Mr. N. C. Bihani,
Mrs. Papiya Banerjee Bihani
... for alleged contemner nos.1 and 2.

Mr. Soumen Bhattacharya, learned advocate appears on behalf of applicant and refers to order dated 27th June, 2019, made by Director of Public Instruction, who is alleged contemner no.1. He submits, interest has been denied to his client on assertion that there is no provision in West Bengal Non-Government College Teachers' (Death cum Retirement Benefit) Scheme or any other existing government order on pension, in case of delayed disbursement. He seeks liberty for his client to mount substantial challenge regarding this denial. Learned advocates for alleged contemnners tender unconditional apology on behalf of their clients for delayed compliance. As such, the compliance is accepted.

It is made clear that question of interest on delayed payment was not dealt with by order dated 5th September, 2018, disposing of the writ petition. Petitioner was given relief in terms of prayer (a) of the writ petition, except interest. Petitioner was stated to be entitled to lodge claim for interest before pension and retiral benefits sanctioning authority. On denial petitioner has a separate fresh cause and is free to seek remedy, if available in law.

The contempt application is disposed of.

(Arindam Sinha, J.)