

IN THE HIGH COURT AT CALCUTTA
Special Civil Jurisdiction
APPELLATE SIDE
(Via Video Conference)

WPCRC 2012 of 2007

In

WPA 6015 of 2004

Sahanara Begam

Vs.

Ardhendu Sekhar Biswas & Ors.

Mr. Suman De, led by
Mr. Anirban Ray, GP,
Mr. Shamim ul Bari

....for the contemnors.

The petitioner remains unrepresented.

It is submitted by Mr. Suman De that an appeal, being MAT 522 of 2007, was preferred against the order dated 10th February, 2004 passed in WP 6015 (W) of 2004, being the subject matter of the contempt petition. The said order dated 10th February, 2004 was initially stayed by the Hon'ble Division Bench. The petitioner preferred a Special Leave Petition against the order of stay passed by the Hon'ble Division Bench. The Special Leave Petition was, however, withdrawn. The appeal has ultimately been disposed of on 18th July, 2018 by passing the following directions:

“We think that the facts are in the knowledge of the department and the Commissioner of School Education will be able to take a decision in the matter.

On the basis of this judgment and order, we direct the Department of School

Education to prepare a fact sheet with regard to the appointment and service of the respondent within 4 weeks of communication of this order and communicate this fact sheet to the parties.

The Commissioner of School Education will give an opportunity to the respondent and the school authority to deal with the fact sheet briefly within a further period of 2 weeks. Thereafter the Commissioner of School Education will hear the parties and pass a reasoned order with regard to the above issues following the legal guidelines and principles contained in this judgment and order and in accordance with law within a further period of 8 weeks. He is empowered to order regularisation of the service of the respondent.

The appeal (MAT 522 of 2007) and the writ application are accordingly, disposed of.

Re: MAT 523 of 2007

The facts of this appeal are almost identical to the appeal in MAT 522 of 2007, which we disposed of today except that the letter of appointment dated 11th April, 1997 was made by the administrator of the school. The respondent was teaching in the language group. For the reasons given in the other appeal MAT 522 of 2007, we dispose of the instant appeal (MAT 523 of 2007) and the writ application with an identical direction upon the Commissioner of School Education, West Bengal.”

Mr. Suman De has handed over the relevant

orders in a bunch of documents, which is taken on record.

After considering the order dated 18th July, 2018, I find that there is no scope of passing any order in the present contempt petition.

The contempt proceeding is dropped. The contempt petition stands disposed of without any further orders. Rule stands discharged.

(Arindam Mukherjee, J.)