

15.03.2021
SL No.2 wt 3
Court No.12
(gc)

CPAN 253 of 2019

**Abha Khanrah
Vs.
Sharadwati Chowdhury & Anr.
In
FMA 1942 of 2018**

(Via Video Conference)

Mr. N.C. Bhandary,
...for the Applicant/
Respondent No.7.

Mr. Tapan Mukherjee,
Mr. Somnath Naskar,
...for the State Respondents.

The contempt application is at the instance of the respondent No.7 in the appeal.

The learned Counsel for the respondent No.7 submits that she is not being engaged as para-teacher in the concerned madrasah. At the disposal of the stay petition, a Coordinate Bench made the following observation:-

“We make it clear that if at all the respondent No.7 is engaged as para-teacher in the concerned madrasah, such engagement and her continuance on the said post till the appeal is disposed of shall be without prejudice to the rights and contentions of the parties in the appeal and the respondent No.7 shall not claim any equity at the final hearing. ”

We do not find any clear direction upon the alleged contemnors to engage the respondent No.7 as para-teacher in the concerned madrasah.

In view thereof, no case for contempt has been made out, other rights, if any, of the applicant would not be affected by this order.

With the aforesaid observation, the contempt application being CPAN 253 of 2019 stands dismissed.

However, there shall be no order as to costs.

Urgent Photostat certified copy of this order, if applied for, be given to the parties on usual undertaking.

(Saugata Bhattacharyya, J.)

(Soumen Sen, J.)