

DL. August 27,
19. 2021

Through Video Conference

MAT 706 OF 2020

Mr. Kallol Basu,
Mr. Suman Banerjee,
...for the petitioner.

Ms. Chaitali Bhattacharyya,
Mr. Mrinal Kanti Ghosh,
...for the alleged contemnors no. 1.

Mr. Md. Sarwar Jahan,
...for the alleged contemnors no. 2 and 3.

Re: CPAN 360 OF 2021
Filed on April 9, 2021.

There is a controversy as to whether our order dated December 18, 2020 has been complied with in full or not. The contempt relates to our direction, which reads as follows :-

“The District Inspector of Schools (SE), Murshidabad, is further directed to extend all sorts of cooperation for the purpose of calculating the outstanding dues of the appellant for expeditious disbursement of the outstanding monthly salary to the appellant. However, it is made clear that from the date of joining the post of Assistant Teacher in Bhabamayee Aghoremani High School, District North 24 Parganas, the service benefits including the monthly salary are to be disbursed to the appellant regularly upon regularising the previous period during which the appellant could not join his transferred post due to pendency of the writ petition as

well as the appeal and due to mistake occurred in the order of transfer dated 25th June, 2020 issued by the Board.”

The District Inspector of Schools (Secondary Education), Murshidabad, as well as the Headmistress and Administrator of the Dhuliyar Banichand Agarwala Balika Vidyalaya (Higher Secondary) shall file an affidavit by September 10, 2021 clearly stating whether the aforesaid directions have been complied with upon prior service of the same to the learned advocate representing the petitioner.

The matter stands adjourned till September 17, 2021.

We make it clear that in the event it is found that the direction passed by us is not complied with, we shall be construed to issue a rule of contempt against the District Inspector of Schools (Secondary Education), Murshidabad and the Headmistress and Administrator of the school in question, whose personal appearances were dispensed with earlier.

However, this order shall not prevent the authorities to comply with the aforesaid direction in full, if not already done, on or before the adjourned date.

(Soumen Sen, J.)

dns

(Saugata Bhattacharyya, J.)

