

**W.P.C.R.C 17 of 2021
(Through Video Conference)**

**Mabud Hasan
Vs.
Pijush Kumar Podder**

**Mr. Subrata Ghosh.
...for the petitioner
Mr. B.P. Vaisya.
Mr. Suman Dey.
... for the alleged contemnor.**

The contempt rule was issued. The alleged contemnor has since retired. Mr. Vaisya, learned Additional Government Pleader with Mr. Dey represent the alleged contemnor and tender apology for non-appearance of the Director of Pension, Provident Fund and Group Insurance, Government of West Bengal. In view of the retirement of the alleged contemnor, the contempt Rule was not served upon him.

Mr. Vaisya submits that the new incumbent to the post is not required to be added in the proceeding in view of the fact that the order of this Court was substantially complied with. Attention of this Court is drawn to the reasoned order passed by the Director of Pension, Provident Fund and Group Insurance, Government of West Bengal which was also served upon the petitioner. According to the reasoned order, the school authority was required to refix the pay of the deceased

teacher as per the observation of the concerned District Inspector of Schools and the option exercised under ROPA Rules 1998. Necessary corrections were required to be made in the service book. The alleged contemnor also directed the concerned District Inspector of Schools to finalize the pension case of the deceased teacher in accordance with law and resubmit the same before the Director of Pension, Provident Fund and Group Insurance, Government of West Bengal.

In my opinion, when the sole alleged contemnor has passed specific direction on the basis of the order of this Court upon the school authorities and the District Inspector of Schools, nothing further remains to be decided in the contempt application.

The contempt application is dropped.

The rule is discharged.

The petitioner is at liberty to avail of the remedies permissible under the law arising out of the order passed by the Director of Pension, Provident Fund and Group Insurance, Government of West Bengal.

There will be however no order as to costs.

All parties are directed to act on the basis of the server copy of this order.

(Shampa Sarkar,J.)

