

22.11.2021
Sl. No.3
srm

W.P.C.R.C. No. 5 of 2021
With
CAN 1 of 2021
Subrata Mondal
Vs.
Kaberi Das & Ors.

Mr. Subhrangshu Panda

...for the Petitioner.

Mrs. Manjuli Chowdhuri,
Mrs. Mekhla Sinha

...for the Applicant.

Re : CAN 1 of 2021.

This recalling application has been filed for dispensing with the personal appearance of the District Magistrate, Howrah pursuant to a rule issued by a learned co-ordinate Bench of this Court.

It is the contention of the applicant that all other retirement dues including arrear pension have been paid to the petitioner but the differential amount of salary with three incremental benefits to which the petitioner is otherwise entitled, have not been disbursed.

Mrs. Chowdhury, learned Advocate appearing on behalf of the applicant/Howrah Zilla Parishad, submits that due to very serious personal difficulty she was not before the Court on the day the Rule was issued, *i.e.*, on October 1, 2021. Hence she could not make proper submissions before the

Court. She submits that the arrear salary as per the order of the Executive Officer of the Howrah Zilla Parishad shall be disbursed upon proper calculation and deduction of some loan amount which the petitioner had taken from the Zilla Parishad.

This appears to be a fair submission before the Court. The order dated October 1, 2021 is modified to extent that the District Magistrate, Howrah need not appear before the Court on November 26, 2021 to answer the Rule.

CAN 1 of 2021 is allowed and disposed of accordingly.

Re : W.P.C.R.C. 5 of 2021

This matter shall be returnable before this Court on January 7, 2022 as the first contempt matter.

On that day, Mrs. Chowdhury will submit a calculation of the arrear salary pursuant to the incremental benefits to which the petitioner is entitled, along with the deduction contemplated. The calculation shall be filed as a report before this Court by the District Magistrate, Howrah.

(Shampa Sarkar, J.)