

15-03-2021
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WPCRC 20 of 2021
In
WPA 14733 of 2016

Nandalal Baidya
Versus
Anindya Narayan Biswas & Anr.

(Via Video Conference)

Mr. Bikram Banerjee,
...for the petitioner

Mr. Kisore Datta, Id. A.G.,
Mr. Swarup Chattopadhyay,
Mr. Suman De,
Ms. Iti Dutta
....for the alleged contemnor no. 1

Mr. Bhaskar Prasad Vaisya,
Mr. Gourav Das
.....for the alleged contemnor no. 2

It is submitted by the learned counsel for the State as well as the Commissioner of School Education and the Chairman, South 24 Parganas District Primary School Council that by order dated March 12, 2021 appointment has been given to the petitioner.

Counsel for the petitioner, however, submits that the order has not been complied with in its entirety.

Learned Advocate General for the alleged contemnor no. 1 submits that further steps are being taken by the alleged contemnors in this

regard. It is also submitted that the compliance of the order should be subject to any order that may be passed in a related appeal being MAT No. 1814 of 2017 (State of West Bengal vs. Md. Alauddin Molla & Ors.) arising out of orders passed in cases of persons similarly situated as the petitioner.

In those circumstances, the contempt application shall stand disposed of with liberty however reserved to the petitioner to take further steps in the event the orders not complied with in its entirety.

It is needless to mention, the aforesaid compliance and any other steps shall abide by the final result of the pending appeal mentioned hereinabove.

The personal presence of Mr. Anindya Narayan Biswas, the Commissioner of School Education and Mr. Ghanasree Bagh, the Chairman, South 24 Parganas District Primary School Council is dispensed with. Rule, if any, shall stand discharged.

Compliance report filed in Court is taken on record.

Copy of the order dated 12.03.2021 be kept with the record.

Copies of the original appoint letters have been given to the counsel for the petitioner.

This Court appreciates the action taken by the alleged contemnors notwithstanding non-receipts of the writ petition and the contempt application as submitted by their counsel.

Urgent photostat certified copy of this judgment, if applied for, be given to the parties upon compliance of all formalities.

(Rajasekhar Mantha, J.)