

S/L 49+50
05.03.2021
Court. No. 19
GB

CPAN 712 of 2020
In
WPA 25722 of 2017

Md. Aminuddin
Vs.
Abid Hossain & Anr.

(Through Video Conference)

*Mr. Abhijit Sarkar,
Mr. Raja Biswas.*

...for the Applicant/Petitioner.

*Mr. Prosenjit Mukherjee,
Mr. Nirmalya Kr. Das,
Ms. Madhurima Sarkar.*

...for the Alleged contemnor.

This contempt application is not maintainable, inasmuch as, there does not appear to be any violation of the order of this Court passed in W.P. No.25722 (W) of 2017.

The petitioner was granted liberty to apply in the appropriate format in terms of Rule 33 of the West Bengal Madrash Service Commission Recruitment (Selection and Recommendation of persons for Appointment and Transfer to the posts of Teacher and non-teaching staff) Rules, 2010.

Records reveal that the petitioner filed an application in the appropriate format but before the authority, who is not involved in the process of transfer at the first stage. It also reveals that a demand draft has been sent in the name of the Secretary West Bengal Madrash Service Commission. It is submitted that the Madrash Service Commission has not

yet received such demand draft. The petitioner is not in a position to know whether the said demand draft has been encashed or not.

In any event, this contempt application is disposed of granting liberty to the petitioner to apply afresh in accordance with the provisions of the Rule.

Mr. Mukherjee assures this Court that all cooperation will be extended by the Commission to enable the petitioner to apply afresh online in terms of the notification published on February 5, 2021. Authorities are restrained from encashing the demand draft, if not already done. If the same is encashed then the money will be adjusted or refunded.

The contempt application is, thus, disposed of.

(Shampa Sarkar, J.)