

10. 16.12.2022
bd. Ct.15

CPAN 287 of 2018
in
WPA 27975 of 2013
With
WPA 38263 of 2013

Sri Niranjan Bhowmick

-vs-

P.A.Siddiqui & Ors.

Mr. Asit Kumar De
Mr. Prasit Kr. Sinha
... for the applicant/petitioner

Mr. Shamim-ul-Bari
... for the alleged contemnor
Nos. 2 and 3.

Mr. B.P. Vaisya
Mr. Nilay Baran Mondal
...for the alleged contemnor no.1

The contempt application is heard in presence of the learned advocates representing the applicant as well as the alleged contemnors.

The contempt proceeding has been initiated on alleged violation of the direction as contained in the order dated 20th December, 2017 by which Director of Pension, Provident Fund and Group Insurance, West Bengal, was directed to accorded sanction of retiral dues including pension in favour of the petitioner.

Today, Mr. De, learned advocate, representing the applicant submits that on issuance of pension

payment order retiral dues have been released in favour of the applicant and the applicant is in receipt of monthly pension. However, Mr. De disputes quantification of retiral dues as made by the State authorities.

Mr. Vaisya, learned additional Government Pleader appears for the Director of Pension, Provident Fund and Group Insurance, being the alleged contemnor no. 1, and Mr. Shamim-ul-Bari, learned advocate, appears for the alleged contemnor nos. 2 and 3. Both the learned advocates representing the alleged contemnors have jointly submitted on instructions that on issuance of Pension Payment Order being No. K/S/00113/2019 dated 25th November, 2019 by the alleged contemnor no. 1 retiral dues including monthly pension have been released in favour of the petitioner.

Such submissions made on behalf of the alleged contemnors relating to release of retiral dues as per aforesaid pension payment order has not been disputed by the learned advocate representing the applicant.

In view of compliance of the order dated 20th December, 2017 the contempt application stands disposed of and the contempt proceeding stands discharged.

However, this order shall not preclude the applicant to take steps in accordance with law, if so advised, if the applicant is aggrieved by the

calculation of retiral dues made by the alleged contemnors at the time of issuance of pension payment order.

Urgent photostat certified copy of the order, if applied for, be given to the parties, upon usual undertakings.

(Saugata Bhattacharyya, J.)