

27.04.2022.
Court No.13
Item No. 8
ap

CPAN 904 of 2021
In
W.P.A. No. 23795 of 2019
Shyama Prasad Dey
Versus
Mr. Joseph Lawrelce Tobias, Chairman, Bangiya
Gramin Vikash Bank, Chuanpur

Mr. Debabrata Saha Roy,
Mr. Indranath Mitra,
Mr. Neil Basu.

...For the petitioner.

Md. Mokaram Hossain,
Mr. Sandipan Maity.

...For the contemnor.

The writ petitioner complains of violation of the order dated 1st March, 2021 passed in W.P.A. No. 23795 of 2019.

It appears that the order has been complied with in substance by an order dated 9th August, 2021 passed by the Chairman, Bangiya Gramin Vikash Bank, Chuanpur.

The petitioner claimed for pension, which has been declined.

This Court is of the view that since there has been compliance of the order, no contempt would lie against the respondent.

In so far as the interpretation and propriety of the order is concerned, the same is subject matter of a fresh writ petition.

In view of the above, the contempt application shall stand disposed of.

It is, however, made clear that any other benefits pursuant to the order of compulsory retirement if the petitioner is entitled to shall be released to him immediately.

There will be no order as to costs.

All parties are directed to act on a server copy of this order duly downloaded from the official website of this Court.

(Rajasekhar Mantha, J.)