

Ct. 12.04
No. 26
4
akb
2022

C.P.A.N. 985 of 2021
In
W.P.A. 5087 of 2019
Sekhar Sarkar
-Versus-
Dr. Sneha Manju Basu

Mr. Gautam Thakur
Ms. Anandamayi Ghosh **...For the Applicant/Petitioner**

Mr. Dipanjan Datta
Mr. Atanu Basu **...For Respondent Nos. 4 & 5**

Mr. Piyush Chaturvedi
Mr. Dwaipayan Sen Gupta **...For Respondent Jadavpur University**

This is an application for contempt with regard to an order dated February 7, 2020 passed by the Hon'ble Justice Protik Prakash Banerjee (as His Lordship then was).

By virtue of the said order, three directions were given upon the respondent authorities which are enumerated below:-

- a) preparation of service book of the petitioner;
- b) payment of salary for the month of January 2020; and
- c) continued payment of salary to the petitioner till the disposal of the writ petition.

It appears that the service book has been prepared belatedly and the same starts from the year 2013. The contention of the petitioner is that the work he did in Jadavpur Vidyapith College has not been taken into account in the said service book and, accordingly, the respondent authorities are in contempt.

From perusal of the documents filed in the writ petition and the supplementary affidavit filed by the

petitioner as well as the service book prepared, it appears that the authorities have recorded that the petitioner was transferred to Jadavpur University as per the directions of the Hon'ble Governor vide Memo No. 290-Edn(U)/1U(J)-28/05 dated 21.6.2007. The service book further records that the petitioner was allowed to join Jadavpur University as a Peon as per direction of the Additional Secretary by an order dated 27.6.2013. The service book lastly records that no service book has been received from the NCE Bengal and DPI. In the light of the same, the service book that has been prepared, is confirmed from 15.7.2013.

In my view, the authorities have complied with the order passed on February 7, 2020 and there is no deliberate violation of the order passed by this Court. The petitioner may have grievances with regard to the alleged incomplete service book that has been prepared and the same gives a right to the petitioner as a new cause of action to challenge the same before the appropriate forum.

In the light of the above findings that there is no deliberate violation of the order passed by this Court, the contempt petition is disposed of with liberty granted to the petitioner to approach the appropriate authority with regard to any further grievances that he may have.

The contempt application, being C.P.A.N. 985 of 2021 is disposed of.

Urgent photostat copy of the order, if applied for, be supplied to the parties on priority basis on compliance of all necessary formalities.

(Shekhar B. Saraf, J.)