

24.02.2023.
Court No.13
Item No. 1
ap

W.P.C.R.C. No. 48 of 2023
In
W.P.A. No. 1175 of 2022
Hamida Khatun
Versus
Ranjit Kumar Maity & Ors.

Mr. Firdous Samim,
Ms. Gopa Biswas,
Ms. Mousumi Hazra,
Ms. Payel Shome.

...For the petitioner.

Mr. Sobhan Majumder,
Ms. Kalpita Paul.

...For the alleged contemnor nos.4 & 5.

Counsel for the Head of the Institution submits that the petitioner's application for transfer was sent to the District Inspector of Schools (SE), Purba Burdwan on 22nd February, 2023 i.e. day before yesterday.

The District Inspector of Schools (SE), Purba Burdwan has forwarded the petitioner's application to the Chief Medical Officer of Health, Purba Burdwan for appropriate independent report in terms of the Rules.

This Court notes without hesitation that the Head of the Institution is guilty of inordinate delay of nearly six months in compliance of the order dated 1st August, 2022 and hence is guilty of contempt of Court. There is no valid explanation forthcoming for such delay.

In those circumstances, the Head of the

Institution shall pay a fine of Rs.10,000/- (Rupees ten thousand only) to the applicant within a period of seven days from date. In default of payment of the aforesaid fine, the District Inspector of Schools (SE), Purba Burdwan shall be at liberty to deduct a sum of Rs.10,000/- from the salary and emoluments payable to the Head of the Institution and pay the same to the writ petitioner.

Since the District Inspector of Schools (SE), Purba Burdwan has written to the Chief Medical Officer of Health, Purba Burdwan only yesterday, the latter shall communicate his opinion to the District Inspector of Schools (SE), Purba Burdwan, within seven days from the date of receipt of a copy of this order for further steps in this regard.

The personal appearance of the alleged contemnors shall stand dispensed with.

Rule, if any, shall also stand discharged.

The contempt application is, thus, disposed of.

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.)

