

CPAN 273 of 2023
In
W.P.A. 16662 of 2022

Manas Maity
Vs.
Prof. Bidyut Chakraborty & Ors.

Mr. Samim Ahammed
Mr. Arka Maiti
....for the Applicant

Mr. Pranit Bag
Mr. Anuj Kr. Mishra
...for the Contemnors/ Visva-
Bharati University

The contempt application is taken up for consideration in presence of the learned advocates representing the applicant and alleged contemnors.

Mr. Samim Ahammed, learned advocate representing the applicant submits that there was a direction by this Court as contained in order dated 13th December, 2022 directing the alleged contemnors to allow the applicant to function as the Professor of Physics without any hindrance.

It has been submitted that in spite of such direction though petitioner was permitted to resume duty as Professor of Physics in Visva-Bharati but there are certain other functions which are required to be discharged by the applicant being the Professor; applicant is not being permitted to perform those duties.

According to the applicant such act on the part of the alleged contemnors is contemptuous.

The learned advocate representing the alleged contemnors has opposed such submission made on behalf of the applicant and submits that in strict compliance with the order passed by this Court on 13th December, 2022 the applicant has been permitted to resume duty as Professor in Visva-Bharati. Therefore, the contentions in support of the case made out in the contempt application is not tenable.

In view of aforesaid submissions made on behalf of the respective parties it appears that it is true that this Court while disposing of the connected writ petition directed the authority of Visva-Bharati to allow the petitioner to function as Professor but what are other functions which are required to be performed by the petitioner being the Professor has not been delineated in the said order dated 13th December, 2022.

In view of such situation, it appears there is no willful deliberate violation of the order dated 13th December, 2022 on the part of the alleged contemnors.

Accordingly, the contempt application stands dismissed.

However, this order shall not preclude the applicant to take steps in accordance with law, if petitioner is aggrieved by the action of the authority of

Visva-Bharati in not allowing the petitioner to function as Professor in other respects.

(Saugata Bhattacharyya, J.)