

17.02.2023.
Court No.13
Item No. 5
ap

W.P.C.R.C. No. 33 of 2023
In
W.P.A. No. 9110 of 2022
Smt. Kakali Paria
Versus
Sri Sudarsan Kayet, Teacher-in-charge,
Madhabnagar High School (H.S), South 24 Parganas
& Anr.

Mr. Saibal Acharyya,
Mr. Pradip Paul.

...For the petitioner.

Mr. Sujit Kumar Rath,
Mr. Anirban Saha.

...For the alleged contemnors.

It appears from the records produced that a No Objection Certificate has been issued by the Madhabnagar High School (H.S), South 24 Parganas on 18th November, 2022 despite this Court's order dated 28th July, 2022. It further appears that there is a delay of about four months. It also appears that even after issuing No Objection Certificate, the contemnor has endorsed on the portal once again that the petitioner is the only teacher of Political Science and many students will be deprived.

The same, according to this Court, constitutes an attempt to overreach the authority of this Court. The contemnor no.1 is guilty of deliberate, wilful and contumacious conduct.

The District Inspector of Schools (SE), South 24 Parganas is personally present in Court and submits

that the petitioner's application has been processed. He has written to atleast five nearby Schools to ascertain as to whether there is a willing teacher to work in place of the petitioner but has not received any positive response in this regard.

In that view of the matter, nothing further remains to be considered in this contempt application. The District Inspector of Schools (SE), South 24 Parganas shall continue to make efforts to locate a teacher to replace the petitioner.

The Head of the Institution is warned against such conduct in future. The imposition of costs and this Court's finding of contempt shall be entered into the service record, of the HOI.

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.)