

30.06.2023.
Item No. 1.
Court No. 13
ap

1 IN THE HIGH COURT AT CALCUTTA
Circuit Bench at Jalpaiguri
SPECIAL CIVIL JURISDICTION (CONTEMPT)
(Appellate Side)

W.P.C.R.C. No. 4 of 2023

In

W.P.A. No. 2169 of 2022

Sujata Guha
Versus
Murari Mohan Mondal,
The District Inspector of Schools (SE), Uttar Dinajpur

Mr. Sudip Ghosh Chowdhury.

...For the petitioner.

Mr. Arindam Chattopadhyay,

Ms. Lipika Chatterjee.

...For the alleged contemnor.

1. Mr. Murari Mohan Mondal, the District Inspector of Schools (SE), Uttar Dinajpur is personally present before this Court and an affidavit-of-compliance is filed.

2. It is submitted that attempts were made by the District Inspector of Schools (SE), Uttar Dinajpur to get a replacement teacher in place of the petitioner. It is further submitted that the concerned Schools have not offered any replacement teacher.

3. Counsel for the petitioner, however, places an order before this Court that one Shefali Ghosh, an Assistant Teacher, has been transferred to Chakulia Junior Girls High School recently and she is a teacher of Mathematics. He further submits that his client is also

a mathematics teacher. There are only twelve students in the School as submitted by the Counsel for the petitioner.

4. The District Inspector of Schools (SE), Uttar Dinajpur clarifies that Shefali Ghosh has been sent on deputation basis and is otherwise a Primary Level Teacher.

5. In the light of the fact that the School is an Upper Primary School and given that there are only two permanent teachers in the School and the other temporary draftees cannot be relied upon to impart proper and continuous instruction in the School as expected from the permanent teacher, this would not constitute an effective replacement.

6. This Court does not find any contempt on the part of the District Inspector of Schools (SE), Uttar Dinajpur. The District Inspector of Schools (SE), Uttar Dinajpur shall continue to make efforts to look for a replacement teacher in place of the petitioner as he has doing.

7. The instructions of the District Inspector of Schools (SE), Uttar Dinajpur addressed to the State be kept with the record.

8. In view of the aforesaid, the instant contempt application shall stand disposed of.

9. Rule, if any, shall also stand discharged.

10. The personal appearance of the alleged contemnor is dispensed with.

11. There will be no order as to costs.

12. 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.)