

Court No. 1
(266111)

CPAN 931 of 2024

02.07.2024

(AD 50)

(S. Banerjee/AN)

Birbhum National Institute of Higher Education
Vs.
Anupam Hazar Registrar Baba Saheb Ambedkar
Education University & Ors.

in
WPA(P) 30 of 2024

Mr. Anindya Bose
Mr. Golam Mohiuddin

...for the petitioner

Mr. S. Majumder
Mr. A. Roy
Mr. A. Sengupta

...for the alleged
contemnor/respondent

1. This contempt application has been filed alleging willful disobedience of the order and direction issued by this court dated 18.04.2024 passed in CAN 52 of 2024 arising out of WPA(P) 30 of 2024.
2. The operative part of the order reads as follows:

“... Therefore, there will be a direction to the applicant institutions in all these applications to submit the original bank statements concerning the bank accounts of the respective teaching and non-teaching staff within three days from date. Upon receiving the same, the University is granted three more days time to verify the authenticity from the respective banks. Upon satisfactory verification, the University shall inform through e-mail the applicant institution fixing a date/dates and time and on the date/dates so fixed with time, the applicant institutions shall ensure that all the teaching and non-teaching staff of the concerned institutions are physically present in the University Campus alongwith their original identity proof for verification. Upon satisfactory compliance of all the conditions, the

respondent University is directed to pass appropriate orders. It is needless to state that the respective banks shall render all cooperation to the respondent University by furnishing the requisite details so that the verification process can be completed expeditiously. Since the banks are not parties to the applications, the observation/direction issued, which can be placed by the respondent University to the respective banks for necessary compliance.

4. With the above observations and directions, all the applications are hereby disposed of.”

3. The respondent University has informed the applicant that the documents were not furnished within the stipulated time as mentioned in the above-referred order. We do not appreciate the stand taken by the respondent University as, prima facie, the applicant has been able to establish before us that all the documents were forwarded on April 30, 2024. In any event, the documents having been received by the University, they should process the same in terms of the direction noted above. Accordingly, the communication issued by the University dated 28.06.2024 under reference no. BSAEU/RO/332/2024 is set aside and the respondent University is directed to examine the documents and comply with the directions issued on 18.04.2024 as referred above.

4. With the above observation and direction, the application stands disposed of.

(T. S. Sivagnanam)
Chief Justice

(Hiranmay Bhattacharyya, J.)