

Court No. 2

23.8.2024

(Item No. 18)

(AB)

IN THE HIGH COURT AT CALCUTTA
Constitutional Writ Jurisdiction
Appellate Side

C.P.A.N. 1070 of 2024
in
W.P.A. 10033 of 2020

Uttam Kumar Roy

VS

Mr. Suniti Kumar Palui
District Inspector of Schools (S.E.)
Paschim Bardhaman & Anr.

Ms. Sabita Khutia (Bhunya)

Mr. Krishna Pada Samanta

Ms. Arpita Saha

..... for the petitioner

Mr. Suman Sengupta

Ms. Amrita Panja Moulick

.... For respondent Nos. 1 & 2

Mr. Rudranil Dey

Mr. Mihir Kundu

.... For the State

Affidavit of service filed in Court today is taken on record.

This is a contempt proceeding arising from an order dated **July 4, 2023**. Pursuant to the direction of this Court the reasoned order was passed on **May 16, 2024** which is already on record.

Today, Ms. Amrita Panja Moulick, learned counsel appearing for the alleged contemnor Nos. 1 & 2 submits a report dated **August 8, 2024** prepared under the signature of the jurisdictional District Inspector of Schools and the allied documents appended thereto, the same is taken on record.

The bunch of documents shows that, the total retirement benefit payable to the petitioner according to the alleged contemnor was **Rs.40,15,053/-** after deducting the tax component from the said sum a

total sum of **Rs.33,27,623/-** has already been paid to the petitioner. The petitioner submits that, the payment made to the petitioner is not the correct quantum and a higher quantum is payable to the petitioner out of his retiral benefit.

After considering the submissions made on behalf of the parties and upon perusal of the said reasoned order and the payment document it appears to this Court that, the order of this Court dated **July 4, 2023** stands complied with, and if, there is any dispute with regard to the quantum of payment, the same cannot come within the purview and jurisdiction of the contempt proceeding,

The petitioner shall be at liberty to make a fresh representation before the jurisdictional District Inspector of Schools, for his alleged balance claim, if any. The District Inspector of Schools then shall consider the same with a reasoned decision.

In view of the above, nothing further survives in this contempt proceeding.

The contempt proceeding being **C.P.A.N. 1070 of 2024** stands **dropped** and **closed**.

The application being **C.P.A.N. 1070 of 2024** stands disposed of.

(Aniruddha Roy, J.)