

**In the High Court At Calcutta
Constitutional Writ Jurisdiction
Appellate Side**

**19.12.2024
SL 352
Court No. 14
BP**

**CPAN 1029 of 2022
IN
WPA 20339 OF 2021**

**Swarnamayee Baskey
vs.
Tarun Sarkar & Ors.**

**Mr. Lalratan Mondal.
Mr. Dilip Kumar Sadhu.
... For the petitioner.**

**Mr. Rajendra Chaturvedi.
..For the alleged contemnor nos. 1 and 3.**

**Mr. Nilay Baran Mondal.
... For the alleged contemnor no. 2.**

1. The writ petition was filed by the widow of the deceased employee seeking family pension.
2. According to the District Inspector of Schools, the employee did not opt for pension. The petitioner failed to produce any challan showing deposition of the Government share of the contributory Provident Fund.
3. The Court, accordingly, directed the learned counsel for the petitioner to produce the challan showing deposit of the said amount.
4. Today, it has been submitted before this Court that the petitioner has expired.
5. It has also been pointed out that the contributory provident fund amount was not deposited but the heirs of the deceased

employee are willing to deposit the amount provided the Court grants leave for the same.

6. As it appears that the original claimant has expired. The Court is not inclined to grant leave to the heirs of the deceased employee to refund the amount of contributory provident fund.
7. In contempt jurisdiction, the Court is not vested with the power to issue fresh direction.
8. It will be open for the heirs of the deceased employee to approach the competent forum for relief.
9. The contempt application stands disposed of.
10. Urgent certified photocopy of this order, if applied for, be supplied to the parties expeditiously on compliance of usual legal formalities.

(Amrita Sinha, J.)