

09 03.5.2024
Sc Ct. no.22

WPCRC 209 OF 2023
in
WPA 10659 OF 2023

Ashis Das

Vs.

Sk. Sadar Saif,
The Director of Pension, Provident Fund
and Group Insurance, Government
of West Bengal & Ors.

Mr. Sandip Kr. De
Mr. Abhijit Sarkar.

...For the Petitioner

Mr. Gourav Das

...For the Alleged Contemnor
No. 3

Mr. Suman Dey

....For the Alleged Contemnor
No. 4

This is a contempt proceeding arose from an order dated May 10, 2023 passed by this Court.

Mr. Sandip Kr. De, learned counsel appears for the petitioner has confirmed this Court that the direction of this Court dated May 10, 2023 stands fully complied with and, as such, nothing further survives in the contempt proceeding.

Mr. Gourav Das, learned State counsel appearing for the alleged contemnor no.3 has also confirmed the above submission made on behalf of the petitioner. In addition, he submits that, the interest paid by the State authority through the alleged contemnor no.3 owing to the gross delay caused by and negligence on the part of the alleged contemnor no.4. Hence, he prays for a liberty to proceed for recovery of the interest amount from the alleged contemnor no.4 in accordance with law.

Mr. Suman Dey, learned counsel appears for the alleged contemnor no.4 submits that, the alleged contemnor no.4 has acted *bona fide* to protect the fund of the school.

Considering the above submissions, this Court is of the view that, to receive dues by a teacher after his retirement is his legal right for which the question of protection of any school fund does not arise.

The alleged contemnor no.3 and/or the appropriate State authority shall be at liberty to proceed against the alleged contemnor no.4 for recovery of the interest amount in accordance with law.

The contempt proceeding being **WPCRC 209 of 2023** stands ***dropped and closed***.

Accordingly **WPCRC 209 of 2023** stands ***disposed of***.

(Aniruddha Roy, J.)