

01.08.2025
court no. 652
serial no. 12
kaushik

CPAN 662 OF 2025
in
WPA 30886 of 2017

Shabia Khatoon
Vs.
Mr. Suny Misra

Mr. Shahan Shah
Ms. Mabilia Khatoon
... .. for the petitioner

Mr. Supriyo Chattopadhyay
Ms. Iti Dutta
... .. for the alleged contemnors

In this contempt application, the alleged contemnor i.e. the District Inspector of Schools (SE), South 24 Parganas has submitted a written instruction to Ms. Iti Dutta, learned advocate that is dated June 7, 2025. Ms. Dutta, learned advocate for the alleged contemnor hands over the same to the Court. The same is taken on record. Let a copy thereof be immediately served upon Mr. Shah, learned advocate appearing for the contempt applicant. Let relevant portion thereof be quoted hereinbelow:

"1) In compliance with the solemn order passed on 20/12/2024 by the Hon'ble Justice Rai Chattopadhyay in W.P.A. No. 30886 of 2017, Shabia Khatoon-Vs-The State of West Bengal & Ors. higher scale was accorded in favour of the petitioner for obtaining Post Graduate degree w.e.f. 10/01/2011 vide this office memo no. LC-30 dated 16/01/2025 and LC-41 dated 21/01/2025.

- 2) The pay was refixed in post graduate scale of pay in favour of the petitioner vide this office Memo No. GA/152/2025 dated 25/03/2025.
- 3) The petitioner has received the Post Graduate Scale of Pay from June' 2025.
- 4) The School has not yet submitted the arrear claim of the petitioner to this office despite memo no. LC-52/2025 dated 28/01/2025 for submission of arrear claim."

Hence, according to the alleged contemnor, necessary order has already been issued by allowing the writ petitioner/contempt applicant to be granted with the post graduate scale of pay w.e.f. January 10, 2011, vide memo dated March 25, 2025. It has been submitted that the writ petitioner has already received the post graduate scale of pay, from June, 2025. The alleged contemnor has specifically contended in his letter as above that since the school authority has not yet submitted any arrear claim as regards the contempt applicant/writ petitioner to the office of the alleged contemnor, despite Memo dated January 28, 2025 being issued by him for submission of arrear bill, the alleged contemnor has not yet been able to disburse the arrear amount of pay to the petitioner.

The document as above, therefore, stands contrary to what has been submitted on behalf of the petitioner, that the alleged contemnor has not complied with its duty to write to the school authority, to forward the bill for arrear claim of pay of the contempt applicant, which should have been the due process undertaken by it, to duly comply with the Court's order.

The Court appreciates that the alleged contemnor has already performed his part of job and for the rest he would not be able to perform as the same depends upon necessary steps be taken by the school authority.

In such circumstances, the Court is of considered opinion that substantial compliance of the order of this Court dated December 20, 2024 in WPA 30886 of 2017 has already been performed by the alleged contemnor.

Hence, there remains nothing more to be adjudicated in this contempt application and the same is disposed of.

(Rai Chattopadhyay, J.)