

W.P.A. 14394 of 1983

**Kamdeb Mondal
Vs.
Boneswar Maddy & Ors.**

Ms. Sima Ghosh
Mr. Sanjay Patra
....for the Applicant

Mr. Jayanta Samanta
Mr. Soumyajit Ghosh
...for the alleged Contemnors

Affidavit-of-service filed on behalf of the applicant
is taken on record.

The contempt matter is taken up for consideration
pursuant to the order dated 19th January, 2024 in
presence of the learned advocates representing the
applicant and alleged contemnors.

The grievance of the petitioner is non-payment of
arrear salary for the period from October, 1983 to 5th
March, 1992 in terms of the order of the coordinate
Bench dated 3rd March, 1992 passed on the writ petition
being CO 14394 (W) of 1983.

Mr. Jayanta Samanta, learned advocate
representing the alleged contemnors files certain
documents which are taken on record. It has also been
submitted on behalf of the alleged contemnors that the
arrear salary to the tune of Rs. 97,388/- was sanctioned
by the alleged contemnors and paid to the petitioner on
6th February, 2024.

However, the learned advocate representing the applicant submits that petitioner is entitled to interest due to delayed payment of arrear salary which has been released in terms of the order dated 3rd March, 1992.

Having considered the submissions made on behalf of the parties and the documents which have been placed before this Court for consideration it appears that petitioner has received arrear salary for the period from October, 1983 to 5th March, 1992 and the total sum towards such arrear salary is Rs. 1,22,388.20 and on adjusting Rs. 25,000/-, Rs. 97,388/- has been paid to the applicant.

The learned advocate for the applicant also submits that the applicant has received such payment on 6th February, 2024 and Rs. 25,000/- was paid to the applicant after the order was passed on 3rd March, 1992.

In view of release of arrear salaries it appears that the order dated 3rd March, 1992 stands complied with.

Accordingly, the contempt application is disposed of and contempt proceeding stands discharged.

If, applicant has grievance relating to non-payment of interest on arrear dues due to delayed payment, applicant shall be at liberty to take steps in accordance with law.

Learned advocate representing the applicant is granted leave to amend the cause title of the contempt application in order to add present District Inspector of

Schools (PE), Birbhum as additional alleged contemnor in course of this day.

Urgent photostat certified copy of the order, if applied for, be given to the parties, upon usual undertakings.

(Saugata Bhattacharyya, J.)