

Item-
10. 18-06-2025

FMA 425 of 2025
CAN 1 of 2025

sg

Ct. 8

Chhabi Ghatak
Vs.
The State of West Bengal & Ors.

Mr. Chandan Datta
Mr. Goutam Malik

...for the appellant

Mr. Bhaskar Prasad Vaisya
Mr. Nilay Baran Mandal

...for the alleged contemnor

Mr. Suman Dey

. ...for the D.P.P.G.

1. The order discharging the rule in a contempt proceeding is not an appealable order under Section 19 of the Contempt of Courts Act, 1971. The learned Single Judge did not find any deliberate and willful violation.
2. The grievance of the petitioner, if any, is that one Dipali Banerjee has received higher pay scale despite being similarly situated like the petitioner and another teacher called Md. Ghulam Rabbani, may not be a consideration in deciding the compliance of the order passed by the learned Single Judge and at the same time, it shall not be an impediment for the writ petitioner/appellant to challenge the basis of the order by which the persons similarly placed have received higher pay scale.
3. In view of the above, the appeal and the application are accordingly, disposed of.

4. Urgent Photostat certified copy of this order, if applied for, be supplied to the parties upon compliance of all requisite formalities. .

(Soumen Sen, J.)

(Smita Das De, J.)