

26.06.2025
SI No.69
Ct. No.15
S.A.

CPAN 580 of 2012
in
WPA 10269 of 2011

Sk. Anarul
-vs-
Dibyen Mukherjee & Ors.

Mr. Rajesh Naskar
Mr. Md. Habibur Rahman
Mr. Munjel Alam

...for the petitioner

This application for contempt has been filed for the alleged violation of the order dated November 9, 2011.

An affidavit-in-opposition was filed on behalf of alleged contemnor no.3. The relevant part of the affidavit is quoted below:

"The petitioner made a representation before the Chairman, Birbhum District Primary School Council requesting the concerned Chairman to change his category to Physical Handicapped category from General category.

That the Chairman has sent a proposal for inclusion of the name of the petitioner in the PC(OH) additional 5% panel to the School Education Directorate vide his Memo No.2002 dated 03.10.2012.

That it appears from the available records that the petitioner obtained 24.78 marks whereas the lowest cut-off marks in the concerned panel, that is, in the PC(OH) panel was 25.12. Therefore the proposal of the concerned Chairman to include the name of the petitioner having total score 24.78 has been approved in serial No.1 of Additional Panel under PC(OH) Category in Bengali Medium under Memo No.281-Sc/P

dated 07.02.2013 by the School Education Directorate.

That it appears from the records that the proposal of the concerned Chairman to include the name of the petitioner having total score 24.78 has been approved in serial No.1 of Additional Panel under PC(OH) Category in Bengali Medium under Memo No.281-Sc/P dated 07.02.2013 by the School Education Directorate.

The report is enclosed herewith and marked with the letter 'R-I'.

That in terms of the "West Bengal Primary School Teachers Recruitment Rules, 2001" an additional panel of 5% of Physically Handicapped candidates has been prepared by the concerned Council.

That in case of non-joining of candidates within stipulated time from out of the normal panel, the Council may issue appointment letter from the aforesaid additional 5% names in excess of the panel provided the normal panel is exhausted and the vacancies as worked out remain unfilled.

That the Chairman, Birbhum District Primary School Council has informed this Directorate on 20.01.2014 that as all candidates in the PC(OH) Category had joined in their respective posts, question of appointment from the additional panel of the said category does not arise."

I am of the view that there has been no contempt committed by the alleged contemnors.

Accordingly, **CPAN 580 of 2012** is dismissed.

(Kausik Chanda, J.)