

Item- 03-01-2025
2.

sg Ct. 37

CPAN 1598 of 2024

Palash Sarkar
Versus
Dr. Goutam Pal, The President, WBBPE & Ors.

In

MAT 468 of 2023

Mr. Nepesh Majhi
Mr. Hemanta Kr. Das
Miss. Poushali Das
...for the petitioner
Mr. Subir Sanyal, Sr. Adv.
Mr. Ratul Biswas
Mr. Kaushik Chowdhury
...for WBBPE/Contemnor nos.1&2
Mr. Arindam Chattopadhyay
...for the DPSC, Nadia

1. The affidavit of service filed in Court is taken on record.
2. Pursuant to our earlier order, the Secretary of the West Bengal Board of Primary Education is personally present in Court.
3. Mr. Subir Sanyal, learned Senior Counsel appearing for the alleged contemnors has brought to the attention of this Court of the two orders passed by the Hon’ble Supreme Court on 2nd September, 2024 and 14th November, 2024 in a Special Leave Petition preferred by the West Bengal Board of Primary Education against the judgment and order dated 12th September, 2023 wherefrom it appears that the notice was issued on 2nd September, 2024 and pursuant to such notice, the present appellant entered appearance on 14th November, 2024 and had prayed for time to file affidavit.
4. This fact ought to have been brought to the attention of this Court on 13th December, 2024 when we directed one of the

alleged contemnors to be personally present before us as we were unaware of the orders passed in the Special Leave Petition.

5. The petitioner ought to have been more vigilant in conducting the matter as it was a duty of the learned Counsel who appeared on 13th December, 2024 to apprise this Court of the pendency of the Special Leave Petition.
6. On such consideration, the contempt application shall stand dismissed with liberty to file afresh consequent upon the decision that may be passed by the Hon'ble Supreme Court in this regard.
7. The personal appearance of the alleged contemnor is thus dispensed with.

(Soumen Sen, J.)

(Biswaroop Chowdhury, J.)