

10.01.2025
Court No.23
DL/Item No.-4
[Milan, A.R. (Ct.)]

**IN THE HIGH COURT AT CALCUTTA
Special Civil Jurisdiction
(Contempt)
Appellate Side**

**CPAN 2008 of 2024
In
WPA 6068 of 2024**

**Bishwajyoti Roy
versus
Rakesh Kumar Kumar Agarwal, General Manager
(Human Resource), Bangiya Gramin Bikash Bank**

Mr. Siddhartha Sankar Mondal,
Mr. Tirtha Pati Acharya,
Ms. Arunima Das Sharma

....for the Applicant

Mr. Baidurya Ghosal,
Mr. Saikat Mukherjee,
Ms. Anupama Biswas

....for the alleged contemnor

It is submitted by the alleged contemnor, namely, Rakesh Kumar Kumar Agarwal, the General Manager (Human Resource), Bangiya Gramin Bikash Bank that the order under contempt dated 13th June, 2024 has been complied with.

On a perusal of the order under contempt dated 13th June, 2024, it appears that the respondent no.3 in the writ petition being WPA 6068 of 2024, who is the alleged contemnor in this application, was directed to approach the Medical Superintendent, Murshidabad Medical College & Hospital, Berhampore for constituting a further Medical Board to examine the petitioner

regarding ailment complained of by the petitioner on the basis whereof, the petitioner had sought for voluntary retirement. The respondent no.3 was also directed to take a decision as to the petitioner's prayer for voluntary retirement and communicate the same to the petitioner within six weeks from the date of receipt of the final order from the medical board.

The petitioner came before this Court, on the allegation that the second part of the order that is the decision of the respondent no.3 (alleged contemnor) was not communicated to the petitioner within the time frame provided.

The Bangiya Gramin Vikash Bank (in short, "BGVB") has placed before this Court a letter dated 4th January, 2025, by which the Bank's decision accepting the prayer of the petitioner for voluntary retirement has been communicated to the petitioner. The said letter dated 4th January, 2025 is taken on record. The petitioner confirms to have received the said letter. The petitioner says that though his prayer for voluntary retirement has been accepted but the entitlements of the petitioner on such acceptance is yet to be disbursed.

In a contempt proceeding, the Court is only authorized to see as whether its order has been complied with. There is no scope of passing any fresh order.

The order under contempt only directed the alleged contemnor to communicate the decision relating to the prayer for voluntary retirement made by the petitioner, after considering the report of the Medical Board. Since that part of the order under contempt has been complied with, there is no scope of passing any further order.

However, in order to do complete justice to the petitioner, it is expected that the 'BGVB' being a rural bank constituted under 'The Regional Rural Bank Act, 1976' will release the entitlements of the petitioner on his prayer for voluntary retirement having been accepted subject to compliance of all necessary formalities.

Nothing further remains to be adjudicated in this contempt application. The contempt application is accordingly disposed of.

(Arindam Mukherjee, J.)