

Court No. 38

17.4.2026

(Item No. 1)

(AB)

**In the High Court at Calcutta
Special Civil Jurisdiction
Appellate Side**

**C.P.A.N. 1348 of 2024
in
W.P.A. 30326 of 2016**

Kanchan Chaubey
VS
Sanjoy Chattopadhyay
The District Inspector of Schools (S.E.)
Kolkata

Mr. Vipul Kundulia, Sr. Adv.
Mr. Anjan Bhattacharya
Mr. Ajay Chaubey
.... For the petitioner
Mr. Supriyo Chattopadhyay, Ld. A.G.P.
Mr. Sabyasachi Mondal
.... For the alleged contemnor

This is a contempt proceeding arising from an order dated **May 15, 2024**.

The said order contains two folds of direction. Firstly, consideration of the case of the petitioner by a reasoned order passed by the Commissioner of School Education. Secondly, if the reasoned order goes in favour of the petitioner, then appropriate and consequential steps was directed to be taken by the jurisdictional D.I. and the any other appropriate authority.

The first part has been complied with as the Commissioner of School Education has passed its reasoned order dated **June 21, 2024** at **page 29** to contempt application. Therefore, the Commissioner of

School Education has complied the direction of this Court and the petitioner has no grievance against it. The sole contemnor is the jurisdictional D.I.

Supplementary affidavit filed by the petitioner shows that, by a letter dated **November 26, 2025** at **page 7** thereto, the School authority has admitted that there was inadvertent mistake on the part of the School authority while communicating its finding to the jurisdictional D.I. by its letter dated **July 18, 2024**. On the basis of the said letter of the School authority dated **July 18, 2024** the alleged contemnor had made its observation in its decision dated **July 26, 2024, annexure P-3** at **page 34** to the contempt application and declined the prayer for appointment of the petitioner.

Since the letter of the School authority dated **November 26, 2025** as referred to above shows that the letter of the school authority dated **July 18, 2024** was issued inadvertently and subsequently the stand of the school was corrected by its letter dated **June 25, 2025** and it was contended that the approval can be considered in favour of the petitioner, the alleged contemnor is required to revisit its decision/observation.

Copy of the supplementary affidavit has already been supplied to Mr. Sabyasachi Mondal,

learned advocate appearing for the alleged contemnor/jurisdictional D.I.

It is made clear that, in the facts of this case till now this Court is of the view that, the alleged contemnor has not committed any contempt as he has acted on the basis of the information provided by the school authority which according to school authority was wrong due to inadvertence.

In view of the above, the decision/observation of the alleged contemnor dated **July 26, 2024, annexure P-3** at **page 34** to the contempt application stands **set aside**.

Alleged contemnor shall give its finding once again by revisiting the issue on the basis of all the existing materials but strictly following the reasoned order dated **June 21, 2024** passed by the Commissioner of School Education. The alleged contemnor shall be free to take assistance of the school authority by directing their presence before it with all the relevant records, if necessary.

The entire exercise shall be carried out by the alleged contemnor positively within a period of **six weeks** from the date of communication of this order.

In the light of the above observations and direction of this Court, nothing further survives in this contempt proceeding.

Accordingly, **CPAN 1348 of 2024** stands **dropped** and **closed**.

The application being **CPAN 1348 of 2024** stands **disposed of**.

(Aniruddha Roy, J.)