

Appellant Vs. Respondent

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Court : Kolkata

Decided On : Jul-11-2014

Judge : Jyotirmay Bhattacharya

Appellant : Appellant

Respondent : Respondent

Judgement :

C.C.59 of 2014 W.P.1115 of 2011 IN THE HIGH COURT AT CALCUTTA Special Civil Jurisdiction (Contempt) Original Side SURENDRA BHANDARI Versus MRS.SOMA MUKHERJEE Petitioner Contemnor/Respondent BEFORE: The Hon'ble JUSTICE JYOTIRMAY BHATTACHARYA Date : 11th July, 2014.

For the petitioner : Mr.Sakti Pada Jana, Advocate For the Contemnor/respondent : Mr.Jayotosh Majumdar with Mr.Pinaki Dhole, Advocates THE COURT : The instant contempt application has been filed by the writ petitioner complaining noncompliance of part of the directions passed by this Court on 26th June 2013 in W.P.No.1115 of 2011 whereby the concerned authority was directed to pay all admissible financial dues of the petitioner with effect from 20th August, 1996.

Admittedly, the other part of the order passed by this Court on 14th June 2013 whereby direction was given upon the concerned authority for approving the service of the petitioner as Laboratory Assistant with R.P.Pandey effect from 20th August 1996 vice has already been complied with.

Be that as it may, on the prayer of the learned advocate appearing for the alleged contemnor, time for compliance of the other part of the direction, which still remains uncomplied with, was extended on 26th June 2013 for a period of four weeks.

Since the financial dues of the petitioner has not yet been released, the instant contempt application has been taken out.

Mr.Majumdar, learned advocate appearing for the alleged contemnor submits that the concerned District Inspector of Schools has already assessed the financial benefit payable direction to him in terms of the aforesaid of this Court and the said D.I.of Schools vide his letter dated 25th November 2013 requested the Director of Rs.6,41,578/- School which Education to release is to the payable a sum of petitioner in terms of the direction passed by this Court earlier.

He further submits that immediately after necessary fund will be released by the Commissioner of School Education, the petitioner will be paid his dues.

Considering such submission of Mr.Majumdar, I direct the Commissioner of School Education to verify the calculation of the financial benefits payable to the petitioner Inspector within as of assessed Schools by and the concerned release the District necessary fund four weeks from the date of communication of this order so that the petitioner can be paid arrear dues his within a week thereafter.

Let the copy of the letter which was written by the concerned District Inspector of Schools addressed to the Director of School Education on 25th November 2013 which is submitted by Mr.Majumdar be kept with the records.

Since Mr.Majumdar learned advocate has assured this Court that he will personally take care regarding payment of petitioners dues, I do not feel any necessity of keeping this contempt proceeding pending any more.

The contempt application is thus disposed of.

As prayed, parties may be given a photostat signed copy of this order for compliance.

However, Xerox certified copy of this order be given to the parties on the usual undertakings.

(JYOTIRMAY BHATTACHARYA, J.) Rs.AR(CR)

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