

28.11.2025  
rpan/04

CPAN 314 of 2025  
**Biswabhusan Nandi**  
– *Versus* –  
**Ms. Geeta Singh Rathore & Others**  
in  
WPCT 88 of 2017  
with  
RVW 173 of 2025  
+  
IA No.: CAN 1 of 2025  
**Union of India & Others**  
– *Versus* –  
**Biswabhusan Nandi**  
with  
WPCT 177 of 2017

Mr. Debashis Sinha,  
Ms. Sharmistha Dhar,  
Mr. Rishav Ray,  
Mr. Bijayananda Bhowmik,  
Mr. Arpan Majhi  
... for the petitioner.  
Mr. Nilanjan Bhattacharjee,  
Mr. Ravi Ranjan Kumar  
... for the alleged contemnors.  
Mr. Indrajit Dasgupta,  
Mr. Madhu Jana  
... for the Review Applicants/UoI.

The present contempt application has been preferred alleging violation of an order dated 3<sup>rd</sup> October, 2024 passed by this Court in the writ petition, being WPCT 88 of 2017 (Biswa Bhusan Nandi Vs. Union of India & Ors.) along with a writ petition being WPCT 177 of 2017 (Union of India & Ors. Vs. Biswa Bhusan Nandi).

Records would reveal that the contempt application was filed on 17<sup>th</sup> February, 2025. Since then the alleged contemnors have prayed for

extension of time on several occasions to comply with the said order.

Today, Mr. Sinha, learned advocate appearing for the petitioner submits that in part compliance of the order, the benefits have been disbursed in favour of the petitioner. He, however, submits that when the Court has directed the authorities to grant notional fixation of pay as has been granted to his batchmates of the year 1995 with fixation benefits, no reason is forthcoming why the Modified Assured Career Progression Scheme (in short, MACP) benefits have not been granted and proper fixation of scale has not been made.

Mr. Bhattacharjee, learned advocate appearing for the alleged contemnors submits that as the petitioner did not complete ten years of service, he is not entitled to the MACP benefits.

Such argument, *prima facie*, is not acceptable to us. We have specifically directed in our order that all retirement benefits be disbursed to the petitioner *'granting him notional fixation of pay as has been granted to his batchmates of the year 1995 with fixation benefits and to treat him to be a member of the Old Pension Scheme and to grant the benefits of the said Scheme, upon making necessary deduction, in accordance with law, positively within*

*a period of four weeks from the date of communication of this order.'*

In view of the direction that notional fixation of pay as has been granted to his batchmates of the year 1995 should be disbursed, no reason is forthcoming as to how the authorities can take a stand that the petitioner did not complete ten years of service and is not entitled to the MACP benefits.

On the prayer of Mr. Bhattacharjee, we defer further hearing of the contempt application till 2<sup>nd</sup> January, 2026, so that he can avail necessary instruction towards full compliance of the order in the meantime. Let the affidavit-of-compliance, as filed on behalf of the alleged contemnors, be kept on record.

Accordingly, list the matter for further consideration in the daily supplementary list of this Court on 2<sup>nd</sup> January, 2026.

**(Partha Sarathi Chatterjee, J.)      (Tapabrata Chakraborty, J.)**