

Court No. 2
11.7.2025
(Item No. 24)
(AB)

IN THE HIGH COURT AT CALCUTTA
Special Civil Jurisdiction
Appellate Side

C.P.A.N. 477 of 2025
in
W.P.A. 30732 of 2017
Tarak Nath Mondal
VS
Dr. Sujit Samanta,
District Inspector of Schools (SE)
Birbhum

Mr. Sarwar Jahan
Mr. Srikanta Datta
Mr. Prodyut Kumr Ray
..... for the petitioner
Mr. Supriyo Chattopadhyay, Ld. AGP
Ms. Iti Dutta
..... for the State

Mr. Sarwar Jahan, learned counsel appears for the petitioner.

Mr. Supriyo Chattopadhyay, learned Additional Government Pleader appears for the alleged contemnor.

This is a contempt proceeding arising from the judgment and order dated **March 21, 2024, annexure P-1** at **page 16** to the writ petition. **Paragraphs 26 to 28** of the judgment is crystal clear that there was a direction upon the respondent no. 3 in the writ petition being the alleged contemnor herein for recommending the name of the petitioner for compassionate appointment in the manner and mode as directed in the said judgment.

Mr. Sarwar Jahan, learned advocate for the petitioner in course of his submissions today has made over two documents dated **April 28, 2025** issued by the Block Development Officer, Nalhati – I,

Birbhum and the other one dated **July 2, 2025** issued by the alleged contemnor. These documents are taken on record. Copies are also made over to Mr. Chattopadhyay in Court today. The said document dated **July 2, 2025** shows that the prayer of the petitioner for appointment on compassionate ground has been rejected, despite specific direction of this Court to give this appointment. This Court has been informed that no appeal was carried out from the said judgment dated **March 21, 2024**.

The steps taken by the alleged contemnor shows that the order has been accepted and acted upon but not in compliance of the direction of this Court.

This Court is of the *prima facie* view that, the direction of this Court has not been complied. It is a fit case for issuance of rule.

Accordingly, there shall be a **Rule** to be issued upon the alleged contemnor.

The department is directed to draw up and serve the Rule as expeditiously as possible on the alleged contemnor.

The Rule is made returnable on **August 22, 2025** when the matter shall appear under the heading **“Contempt Application”**.

However, it is made clear that, pendency of this contempt proceeding or the issuance of Rule shall not preclude the alleged contemnor to carry out and

comply the direction of this Court dated **March 21, 2024** in all respect and file a compliance report by way of an affidavit on the returnable date.

(Aniruddha Roy, J.)