

06 17.02.2026  
NB Ct. 28

**WPCRC 140 of 2025**

*With*

WPA 20193 of 2024

Amitava Chatterjee

Vs.

Prof. (Dr.) Nimai Chandra Saha, Director of Public  
Instruction, Department Higher Education & Anr.

Mr. Biswarup Biswas,  
Mr. Pradip Kumar Ghosh.  
..for the petitioner.

Mr. Kishore Dutta Ld.AG.,  
Mr. Jayanta Samanta,  
Mr. Gourav Das.  
...for the alleged contemnor no.1.

Learned counsel appearing on behalf of the petitioner submits that this is a case of further and/or aggravated contempt. The alleged contemnor had earlier appeared in person and prayed for time to comply with the order, but thereafter did a complete volte face by purportedly passing an order to the contrary, as if he was sitting in appeal once an order passed by this Court.

Learned Advocate General representing the alleged contemnor, submits that there is a difficulty in complying with the order passed by this Court as the relationship of master and servant has ceased to exist. In fact, the alleged contemnor has purportedly passed a reasoned order in this regard.

It is indeed very surprising to hear such submissions on behalf of the alleged contemnor, especially when it is advanced by the learned Advocate General.

Had the alleged contemnor been aggrieved by the order, he could have fairly challenged the same before a superior Court. But, the alleged contemnor chose not to do so. After the Rule was issued in this matter, he appeared before this Court and prayed for time to fully comply with the order. In violation of such undertaking, subsequently the alleged contemnor passed an order, purportedly a reasoned one, claiming that the order passed by this Court could not be implemented.

The order is not before this Court. Nor is there a cogent explanation advanced as regards non-compliance of this Court's order.

However, in the interest of justice, this Court wishes to grant another opportunity to the alleged contemnor no.1 to explain his conduct.

Let the alleged contemnor appear in person before the Court along with his affidavit annexing a copy of his purported order and his explanation about his alleged non-compliance of this Court's order and about violation of his oral undertaking to comply with this Court's order, on the next date of hearing.

List this matter for further consideration under the same heading on 10<sup>th</sup> March, 2026 at 2pm.

Urgent Photostat certified copy of this order may be supplied to the parties expeditiously, if applied for.

**(Jay Sengupta, J.)**