

7 14.12.2020

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WPA 6462 of 2020  
CAN 1 of 2020 (Old: CAN 5103 of 2020)  
CAN 2 of 2020  
CAN 3 of 2020  
(Via Video Conference)

Biswanath Chowdhury  
Vs.  
The Chairman, National Council for  
Teachers Education & Ors.

Mr. Debasish Kundu  
Mr. Srijib Chakraborty  
Mr. Amitayu Kundu  
Mr. Suryaneel Das  
..for the Petitioner.

Mr. Kishore Datta  
Mr. Tapan Kumar Mukherjee  
Mr. Somnath Naskar  
..for the State.

Mr. Amitava Chaudhuri  
Mr. M. Chaudhuri  
Mr. N. Roy  
..for the University.

Mr. Jaydip Kar  
Mr. Nabankur Paul  
Md. Apzal Ansari  
..for the Respondent No.5.

Pursuant to the order dated December 11, 2020,  
the District Magistrate, Cooch Behar, Pawan Kadyan, is  
present.

A second report has been prepared, together with  
copies of the photographs taken during the District  
Magistrate's visit to both Matikata and Jatrapur.

The District Magistrate has acknowledged that he  
committed a bonafide mistake in not visiting the site or  
furnishing a report despite the clear order of October

13, 2020 in such regard. The District Magistrate has also tendered his unqualified apologies in court.

In the light of the subsequent report prepared by the District Magistrate and the repentance shown for the earlier mistake, the District Magistrate is discharged. The contempt proceedings are dropped. His personal appearance is dispensed with.

Since Mr. Kadyan has a long career, the court wishes him well but reminds him that his obligation every step of the way in his official capacity is to the citizen and to steer clear of the road of unfairness, unreasonableness and arbitrariness, particularly, at the behest of the political executive.

As far as the second report is concerned, the petitioner and the other parties will be entitled to obtain copies thereof from Mr. Mr. Tapan Kumar Mukherjee, Government Advocate. The photographs taken during Mr. Kadyan's visit should be available with Mr. Mukherjee, for the court to look into the same, if necessary.

The matter will now appear on December 21, 2020.

(Sanjib Banerjee, J.)

(Hiranmay Bhattacharyya, J.)

