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Date: 10-04-2025

To,

Smt. Mamata Banerjee
Hon'ble Chief Minister of West Bengal
30-B, Harish Chatterjee Street,
Kolkata - 700025

Also at,

Nabanna, 14th Floor,
325, Sarat Chatterjee Road, Mandirtala,
Shibpur, Howrah-71110
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**In Re: SLP (C) No. 9586 of 2024, State of West Bengal vs. Baishakhi
Bhattacharyya (Chatterjee)**

Subject: Contempt Notice

Dear Madam,

1. The undersigned is acting for and on behalf of AATMADEEP (registered NGO) through Mr. Prasun Maitra, 'Trustee', S/o. Mr. Pradyut Maitra, R/o. Nabanagar, Balibhra (CT), Nabanagar, North 24 Pargana, West Bengal 743136 (the "Client"). On behalf of my above-named Client I am sending this Notice of Contempt, to you – Smt. Mamata Banerjee, Hon'ble Chief Minister of the State of West Bengal, (the "Addressee")

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2. with reference to the recent judgment passed by the Hon'ble Supreme Court of India dated 03.04.2025 in SLP (C) No. 9586 of 2024, State of West Bengal vs. Baishakhi Bhattacharyya (Chatterjee).
3. On account of colossal fraud, in making appointment of approximately 26000 teaching and non-teaching staff, generally described as ("SSC Job Scam" in West Bengal), all those illegal appointments had been set aside by the detailed judgement of the Hon'ble Calcutta High Court.
4. The Judgement of the Hon'ble Calcutta High Court was challenged before the Hon'ble Supreme Court. The Hon'ble Supreme Court in its judgement dated 03.04.2025, observed that gross illegalities and violations had occurred in making these appointments and agreed with the findings of the Hon'ble Calcutta High Court and thus, dismissed the challenge raised by the Government of West Bengal by filing of SLP (C) No. 9586 of 2024, State of West Bengal vs. Baishakhi Bhattacharyya (Chatterjee). Copy of the Judgement dated 03.04.2025 is enclosed herewith.
5. The Hon'ble Supreme Court of India vide detailed judgement dated 03.04.2025 has upheld the judgement passed by the Hon'ble Calcutta High Court thereby declaring nearly 26000 appointments to be illegal and unsustainable. The Hon'ble Supreme Court of India held as follows:-

...."45.... We find no valid ground or reason to interfere with the direction of the High Court that the services of tainted candidates, where appointed, must be terminated, and they should be required to refund any salaries/payments received.



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Since their appointments were the result of fraud, this amounts to cheating. Therefore, we see no justification to alter the direction.”

...“46. For candidates not specifically found to be tainted , the entire selection process has been rightly declared null and void due to egregious violations and illegalities, which violated Article 14 and 16 of the Constitution. As such, the appointments of these candidates are cancelled. However, candidates who are already employed need not to be asked to refund or retribute any payments made to them. However, their services will be terminated. Furthermore, no candidate can be appointed once the entire examination process and results have been declared void....”

6. It is but obvious, that everyone concerned with the judgement, is duty bound to comply with and implement the judgement passed by the Hon’ble Supreme Court of India, dated 03.04.2025. The implementation of the said judgement shall require adherence by all concerned state and other authorities, who are duty bound to cancel all illegal appointments made, by implementing the judgement dated 03.04.2025. As per the provisions of Article 141 and 144 of the Constitution of India, each authority is under unequivocal obligation to implement and carry out the judgement of the Hon’ble Supreme Court of India, dated 03.04.2025 and the directions contained therein.

7. It is, therefore, neither open nor permissible for any public authority, much less to any political executive in West Bengal, to either ignore or refuse compliance therewith, as they are obligated to implement the judicial decision of Hon’ble Supreme Court dated 03.04.2025. The majesty of the Hon’ble Supreme Court and the rule of law demand

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8. scrupulous adherence by all authorities concerned. It is not permissible for any authority, government, minister, and/or the Hon'ble Chief Minister from refusing to take, all necessary steps required for the implementation of the Hon'ble Supreme Court's decision dated 03.04.2025, in its true letter and spirit. Further, they would be estopped and prohibited from making any statements—public or otherwise—that may negatively affect or undermine the enforcement of the said judgment and lower the majesty of the Hon'ble Supreme Court.
9. However, in complete disregard of the Constitution and the authority of the Supreme Court, a public statement/speech was made by you, the Addressee, on 07.04.2025, wherein it was stated by you:

কারো চাকরি কাড়ার এই অধিকার, কারো নেই। আমাদের প্ল্যান — A রেডি, B রেডি, C রেডি, D রেডি, আর E রেডি। এই কথা বলার জন্য আমাকে জেলে, হ্যাঁ, ভরে দেওয়া যেতে পারে। কিন্তু I don't care.

আপনারা আপনাদের কাজ করুন। কে আপনাদের আটকাচ্ছে? সুপ্রিম কোর্ট। সেক্ষেত্রে মনে রাখবেন যাই বিকল্প হোক আমরা করবো।

"Who has the right to take anyone's job? No one. Our plan A is ready, B is ready, C is ready, D is ready and E is ready. You can put me in jail for saying this. But I don't care. Don't you know? You please do your own work. Who has stopped you from doing your work? Supreme Court. Then remember, whatever is alternative, we will do."

শিক্ষা ব্যবস্থা কে ভেঙে ফেলার জন্য... একটা চক্রান্ত চলছে... একটা পরিকল্পনা চলছে।



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৯, ১০, ১১, ১২-তে যাঁরা শিক্ষক, gateway of higher education তৈরি করছেন — তাঁরা অন্যদের খাতা দেখছেন, তাঁদের মধ্যে গোল্ড মেডালিস্ট আছেন, তাঁদের জীবনেও ভালো রেজাল্ট ছিল।

তাঁদের সবাইকে চোর বলে দিচ্ছেন। সবাইকে অযোগ্য বলে দিচ্ছেন।

এই বলার অধিকার আপনাকে কে দিল?

আমি সরাসরি চ্যালেঞ্জ করছি।

“To destroy the education system, and to tear it down, there is a conspiracy going on. Planning is going on. Teachers of 9th, 10th, 11th and 12th are gateways to higher education. They prepare, many of them are examining papers. Some of them are gold medallist. They have achieved good results in their life. You are calling all of them thief. You are calling all of them ineligible. Who has given you right to say so? I am openly challenging....”

10. The abovementioned statement/speech by you, *inter alia* to the above effect, the Addressee, in a wilful, designed and well thought off attack, affront, on the judgement of the Hon’ble Supreme Court of India dated 03.04.2025 and presented a direct challenge to the majesty of the Hon’ble Supreme Court of India. The real unescapable consequence of the Judgement of the Hon’ble Supreme Court, dated 03.04.2025 is termination/cancellation of all illegal appointments. Further, the unambiguous statement/claim made by you is, *inter alia*, to the effect that – ‘*there shall not be any implementation of the Judgement*’ and that you, the Addressee, shall ensure that no person who is covered by the Judgement of the Hon’ble Supreme Court of India, shall be terminated from their appointments. Thus, you, the Addressee, has essentially set out that none of the illegal appointees shall be removed/terminated,

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meaning thereby that there shall not be any compliance with the Judgement of the Hon'ble Supreme Court dated 03.04.2025.

11. You, the Addressee, by making such statement/speech, have made it clear that you debunk the judgement of the Hon'ble Supreme Court of India and you shall also not allow its implementation, despite being bounden in law to do so, which is clearly a wilful and deliberate act on your part.

12. Your all such acts of omission and commission clearly constitute open defiance and direct interference with the administration of justice, including implementation of the Judgement passed by the Hon'ble Supreme Court of India. It is also a clear violation of the obligation of the State of West Bengal and you the addressee- under Article 141 and 144 of the Constitution of India to comply with and implement the Judgement of the Hon'ble Supreme Court of India dated 03.04.2025. Your acts of omission and commission clearly constitute contempt of the Judgement of the Hon'ble Supreme Court of India dated 03.04.2025 deserving suitable action under Article 129 of the Constitution of India and Contempt of Courts Act, 1971. The provisions of Article 141 and Article 144 are reproduced as under: -

“ 141. Law declared by Supreme Court to be binding on all Courts

The law declared by the Supreme Court shall be binding on all courts within the territory of India.”



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“144. Civil and judicial authorities to act in aid of the Supreme Court

All authorities, civil and judicial, in the territory of India shall act in aid of the Supreme Court.”

13. I therefore, hereby call upon you to: -

- A. Require all the concerned authorities of the State of West Bengal to take immediate steps for complete compliance with the judgement and direction dated 03.04.2025 passed by the Hon’ble Supreme Court of India.
- B. You are called upon not to make any statement, in public or otherwise, having the effect of creating an impression or hope in the mind of anyone that the Judgement and directions of the Hon’ble Supreme Court dated 03.04.2025 shall not be implemented and/or all the illegal appointments will not be cancelled/terminated and that the illegal appointees will continue in their illegal appointments in non-compliance and violations of the said judgement of the Hon’ble Supreme Court dated 03.04.2025.
- C. Issue an unconditional apology to the Hon’ble Supreme Court for the unfortunate and impermissible public statement made by you on 08.04.2025, mentioned hereinabove and expressing regret for every such doubt or confusion having arisen in the minds of general public that the Judgement and direction of the Hon’ble SC shall not be complied with the State of West Bengal.



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14. In the event of your failure to comply with the above I have clear instructions, from my Client, to seek appropriate legal recourse against you and approach the Hon'ble Court(s) for initiating contempt proceedings against you, thereby seeking action in accordance with the law.
15. This is for your information and necessary action.
16. A copy of this notice is retained at our offices for purpose of record and use before appropriate legal forum.

Best regards



Siddharth Dutta
Advocate

Supreme Court of India / Delhi High Court