

**WEST BENGAL ADMINISTRATIVE TRIBUNAL**

**Bikash Bhavan, Salt Lake, Kolkata – 700 091.**

**Present-**

**The Hon'ble Mrs. Urmita Datta (Sen), Member(J)**

**Case No. – CCP-8 of 2019 ( OA-785 of 2015 )**

**Gyani Ram VERSUS – The State of West Bengal & Ors.**

Serial No. and  
Date of order

For the Applicant : Mr. R.K. Mondal,  
Learned Advocate.

24  
22.6.2022

For the State  
Respondents : Mr. G.P. Banerjee,  
Learned Advocate.

The matter is taken up by the Single Bench pursuant to the order contained in the Notification No. 118-WBAT/1E-08/2003 (Pt.-II) dated 11<sup>th</sup> February, 2022 issued in exercise of the powers conferred under Section 6 (5) of the Administrative Tribunals Act, 1985.

The counsel for the applicant has submitted this Tribunal had directed the respondent inter alia vide their order dated 03.10.2018 :-

“ In view of the above, we are of the opinion that the instant case is squarely covered by the aforesaid order dated 18.06.2008 as in the instant case also the respondents vide their communication dated 14.08.2009 had clearly communicated the approval of the Cabinet held on 29.07.2009 as well as Finance Department concurrence dated 16.03.2009. Therefore, unless and until the decision with regard to the applicant revisited and reverse by the Cabinet, the Finance Department observation dated 04.05.2005 cannot nullify the earlier decision by way of rejecting the claim of the applicant. Accordingly, we quash and set aside the communication dated 04.06.2015 and direct the respondent authorities to take necessary steps within a period of 3 (three) months from the date of receipt of the order.

Accordingly, the OA is allowed with above observation and direction with no order as to costs.”

Subsequently, the said order was communicated by the respondents and received by them on 11.10.2018 and thereafter three months time had already been lapsed but till date the said order has not been complied with. However, counsel for the Contemnor O.P. has

**ORDER SHEET**

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submitted that the matter has been referred to the Cabinet for their decision and is still pending for their decision. Therefore, he has prayed for one accommodation. Prayer is allowed. Let the matter be listed on **18.08.2022** for order.

URMITA DATTA (SEN)  
MEMBER (J)

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