WEST BENGAL ADMINISTRATIVE TRIBUNAL

Bikash Bhavan, Salt Lake, Kolkata – 700 091.

Present-

The Hon'ble Justice Soumitra Pal, Chairman
The Hon'ble Sayeed Ahmed Baba, Administrative Member

Case No. – CCP 11 OF 2022 (OA 37 OF 2022)

DR. SEMBAGAMUTHU SEMBIAH - VERSUS - THE STATE OF WEST BENGAL & ORS.

Serial No. and Date of order		
4 09.03.2022	For the Applicant	: Mr. Manujendra Narayan Roy, Mr. Gaurav Haldar, Advocates
	For the Alleged Contemnor / Opposite Party	: Mr. Gautam Pathak Banerjee, Advocate

It is submitted by Mr. Manujendra Narayan Roy, learned advocate for the applicant that the directions contained in the ultimate paragraph of the order dated 8th February, 2022 in O.A. 37 of 2022 : "Dr. Sembagamuthu Sembiah vs. State of West Bengal and Others" have not been complied with as the order dated 2nd March, 2022 was passed by the Special Secretary and without considering the judgement passed in OA 28 of 2021 and WPST 25 of 2021.

Heard Mr. Gautam Pathak Banerjee, learned advocate for the alleged contemnor / respondent.

SCN.

Since while disposing OA 37 of 2022 on 8th February, 2022, the Secretary, Department of Health and Family Welfare, Government of West Bengal was directed to take a decision regarding letter tendering resignation by the applicant filed on 25th January, 2022 along with 13 point declaration in the light of judgement passed in OA 28 of 2021 and WPST 25 of 2021 which has not been considered, in our view, the directions contained in the said order have not been complied with. Thus, the order contained in the memo dated 2nd March, 2022 is set aside and quashed.

Since we find that the directions contained in the order dated 8th February, 2022 are yet to be complied with, an opportunity is given to comply the said directions before the next date of hearing.

Let the matter appear under the heading "Admission Hearing" on 16th March, 2022.

(SAYEED AHMED BABA)	(SOUMITRA PAL)
MEMBER (A)	CHAIRMAN