

**WEST BENGAL ADMINISTRATIVE TRIBUNAL**

Bikash Bhavan, Salt Lake, Kolkata – 700 091.

Present-

The Hon'ble Sayeed Ahmed Baba, Officiating Chairperson & Member (A)

**Case No. – CCP 116 of 2019 [OA 627 of 2016]**

**Dr. Manoj Kumar Maji -- VERSUS – Mr. N.S. Nigam, Pr. Secy., Deptt. of H&FW, GoWB.**

Serial No. and For the Applicant : Mr. S. Bhattacharjee, Ld. Advocate.

Date of order For the Contemnor/OP : None.

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05.07.2023

The matter is taken up by the Single Bench pursuant to the order contained in the Notification No. 638-WBAT/2J-15/2016 (Pt.-II) dated 23<sup>rd</sup> November, 2022 issued in exercise of the powers conferred under Section 5(6) of the Administrative Tribunals Act, 1985.

On consent of the learned counsel, the case is taken up for consideration sitting singly.

Mr. S. Bhattacharjee, learned counsel for the applicant files objection against the compliance report dated 11.11.2022. This may be kept on record and copy be served on the other side. By an order of this Tribunal dated 07.02.2019, the Additional Chief Secretary, Department of Health & Family Welfare was directed “to regularise the absence of the applicant from duty by grant of leave to the credit of the applicant .....”.

In response to such a direction, Mr. S.N. Ray, learned counsel for the alleged Contemnor/OP had filed the “compliance report” in this Tribunal. While perusing this so called compliance report, it is evident that it is a letter dated 11.11.2022 addressed by Director of Health Services, West Bengal to Mr. S.N. Ray, learned advocate for the alleged Contemnor/OP.

The Tribunal's view is that it is not a compliance report, for complying the direction of the Tribunal in its order dated 07.02.2019. Therefore, the alleged Contemnor/OP, Secretary, Department of Health & Family Welfare is directed to submit a compliance report in proper format by way of affidavit before this Tribunal within six weeks from the date of communication of this order. Let this order be communicated by the applicant to the alleged Contemnor/OP and affidavit of service be affirmed and filed on the next date.

Let the matter appear under the heading “**Hearing**” on **07.12.2023**.

CSM/SS

**SAYEED AHMED BABA**  
**Officiating Chairperson & Member (A)**