

**ORDER SHEET**

**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 27 of 2023 [OA 720 of 2022]**

***Rakhi Mondal* -- VERSUS – Mr. Probhas Kumar Ukil, Secy., Health & Family Welfare.**

Serial No. and Date of order For the Applicant : Mr. D. Pattanaik, Ld. Advocate.  
For the Contemnor/OP : None.

01  
27.03.2023

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.

The contempt proceedings in this application is for non-compliance of the Tribunal's order dated 19.12.2022, the relevant portion of the order is as under :

*“Therefore, I direct the Respondent No. 2(g), The Secretary and Controller of Examinations, West Bengal Health Recruitment Board to have the concerned experts evaluate the Post Graduate Diploma furnished by the applicant and after considering its relevancy and if the applicant is entitled to get the 15 marks for such certificate, the candidate should be considered in the merit list. However, if in the opinion of the expert of the Board, the certificate so furnished is not eligible for the 15 marks, the same reason should be explained in the reasoned order to be passed by the Respondent No. 2 (g) within a period of four weeks and communicate the same to the applicant within one week thereof. The applicant is directed to furnish the certificates before the Respondent No. 2 (g) from two weeks from the date of this order.”*

In terms of the above order, the respondent called the applicant and after examination of the Certificate, passed a reasoned order on 10.03.2023. The relevant portion of the reasoned order passed is as under :

**“ORDER**

*As the Technical Expert concerned accept the Diploma Certificate submitted by the applicant, I am of the view that prayer of the applicant can be acceded to.*

*It is to be noted here that this order will not be treated as precedent for subsequent similar cases.*

*Hence, Sr. Deputy Secretary, Recruitment Cell, is directed to initiate necessary action accordingly.”*

In my view, the alleged Contemnor/respondent has fully complied with the order of the Tribunal and no contempt proceedings lie against the respondent, therefore, the application for contempt proceedings is not admitted and thus, **disposed of.**

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

CSM/SS