

ORDER SHEET
WEST BENGAL ADMINISTRATIVE TRIBUNAL
Bikash Bhavan, Salt Lake, Kolkata – 700 091.

Present : **HON'BLE JUSTICE SOUMITRA PAL,** **HON'BLE CHAIRMAN &**
HON'BLE SAYEED AHMED BABA, **ADMINISTRATIVE MEMBER.**

Case No. – CCP 38 of 2018 (OA 1078 of 2017).
SOUMEN HALDER –VS- SHRI AJAY BHATTACHARYYA, DIRECTOR OF FOOD & SUPPLIES, GOVT. OF W.B.

Serial No. and Date of order	For the Applicant	: Mr. B. Chakrabarti, Mrs. S. Agarwal, Advocates.
<u>12</u> 6.1.2022	For the Contemnor Opposite Party	: Mr. G.P. Banerjee, Advocate.

The contempt application being CCP 38 of 2018 in OA 1078 of 2017 and RA 2 of 2018 arising out of the same original application are taken up for hearing analogously.

Pursuant to the order dated 4th January, 2022, the matters have come up in the cause list under the heading “For Orders”. It appears that after the order dated 16th April, 2018 was passed in OA 1078 of 2017, the Tribunal in its order dated 18th May, 2018 had noted “the fact of wrong recording in the last portion of the order dated 16th April, 2018 and have brought it to the notice of the learned Counsel representing both parties”. However, as evident from the said order, the matter could not be taken up as “the Review Application has already been filed against the order dated 16th April, 2018”. Direction was issued to present the contempt application along with RA 2 of 2018 under the heading “Hearing on 28.6. 2018”.

It is submitted by Mr. B. Chakrabarti, learned advocate for the original applicant that the fact of wrong recording as already noted in the order dated 18th May, 2018 be corrected and a fresh order be passed on similar lines.

Heard Mr. G.P. Banerjee, learned advocate for the applicant in the Review Application and for the alleged contemnor in the contempt

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application.

In view of the submission made on behalf of the applicant, the relevant paragraph in the second page of the said order dated 16th April, 2018 containing the direction let the words “to allow the applicant” after the words “department of Food and Supplies” be read and be treated as part of the said order dated 16th April, 2018 passed in OA 1078 of 2017. Accordingly, we direct the Director of DDP & S, Department of Food and Supplies, - the respondent no. 2 to allow the applicant to join in the post of Sub Inspector on the basis of the order dated 11th April, 2017 within eight weeks from the date of presentation of a copy of this order. It is also made clear that the applicant is not entitled to get any financial benefit before the date of joining. The seniority of the applicant in the service shall be decided on the basis of seniority rules by which the applicant is governed.

In view of the order as corrected, no further order is passed on the contempt application being CCP 38 of 2018 and on RA 2 of 2018 and are disposed of.

(SAYEED AHMED BABA)
MEMBER(A)

(SOUMITRA PAL)
CHAIRMAN.

Skg.