

WEST BENGAL ADMINISTRATIVE TRIBUNAL

Bikash Bhavan, Salt Lake, Kolkata – 700 091.

Present-

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

Case No. – CCP 44 of 2022 [OA 622 of 2016]

Atanu Chakraborty -- VERSUS --Sk. Abdullaha, BDO, Magrahat-II, South 24-Pgs.

Serial No. and Date of order	For the Applicant	: Mr. A.K. Das Sinha, Learned Advocate.
	For the Contemnor/OP	: Mr. M.N. Roy, Learned Advocate.

02
04.08.2022

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 11th February, 2022 issued in exercise of the powers conferred under Section 6(5) of the Administrative Tribunals Act, 1985.

Today, Mr. M.N. Roy, learned counsel for the Contemnor/OP has appeared and has submitted that Mr. Rathin Biswas, who has been made party as Contemnor/OP was transferred from Magrahat-II, South-24-Parganas on 15.02.2021, but this Tribunal had passed order dated 10.03.2022 in OA-622 of 2016. Therefore, Mr. Rathin Biswas was not holding the post of B.D.O., Magrahat-II as on 10.03.2022. Thus, the counsel for Mr. Rathin Biswas has prayed for deletion of the name of Mr. Rathin Biswas as Contemnor/OP. Prayer is allowed. The counsel for the applicant is directed to delete the name of Mr. Rathin Biswas and add the new incumbent as a Contemnor/OP was holding the post of B.D.O., Magrahat-II on 10.03.2022.

It is noted that the instant application has been filed being aggrieved with the non-compliance of the order dated 10.03.2022, whereby the respondent No. 3 i.e. Block Development Officer, Magrahat-II was directed to make payment of due salary of the applicant for the period from August 2015 to October 2015 and to make appropriate step to deposit the GPF amount for the aforementioned three months before the appropriate authority. Though the notice has already been served upon the contemnor/OP by the Registry as per order dated 30.06.2022, however, no compliance report has been filed. Further, instead of filing any compliance report, B.D.O., Magrahat-II, South 24-Parganas had again sent one letter dated 19.07.2022 and one e-mail dated 26.07.2022 without complying the order or filing any compliance report, which is patently bad and illegal. As the Contemnor/OP either has to comply with the order or make appropriate submission himself or through his legal

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representative before the Court, therefore, such action of sending e-mail was not at all appreciated by the Tribunal in the original order dated 10.03.2022. Even then, again the Contemnor/OP had sent one e-mail on 26.07.2022 as well as letter dated 19.07.2022 to the Deputy Registrar, WBAT without complying with the order.

In view of the above, the Contemnor/OP is granted last chance to file a proper compliance report by the next date.

Let the matter appear under the heading “**For Orders**” on **28.09.2022**.

**URMITA DATTA (SEN)
MEMBER (J)**

CSM/SS