

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 45 of 2023 [OA-479 of 2021]

Dr. Subhabrata Kumar -- VERSUS – Mr. N.S. Nigam, Secretary, Deptt. of Health & Family Welfare

Serial No. For the Applicant : Mrs. S. Agarwal, Ld. Advocate.

and
Date of order For the Contemnor/OP : None.

05
31.07.2024

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 23rd November, 2022 issued in exercise of the powers conferred under Section 5(6) of the Administrative Tribunals Act, 1985.

Mrs. Agarwal has submitted that the direction of this Tribunal passed on 07.09.2022 in OA 479 of 2021 has not been complied till date. From the copy of the order in this application, it is clear that the Secretary, now the Principal Secretary of the Health and Family Welfare Department was directed to conclude the disciplinary proceedings and pass a reasoned order within a period of six weeks from the date of receipt of the order. It is surprising that such a simple and clear direction passed almost two years ago has not been complied by the alleged Contemnor/OP till date. The disciplinary proceedings against the applicant was pending since 2020 and the respondent authorities did not deem it necessary to conclude it within a reasonable period of time. The most unfortunate part of this case is that despite a clear and specific direction to conclude the disciplinary proceedings, the alleged Contemnor/OP has not found time to comply with such direction of the Tribunal. Let a copy of this order be communicated to the alleged Contemnor/OP, Mr. N.S. Nigam, Principal Secretary, Department of Health & Family Welfare who is being given one last opportunity to comply with the direction of this Tribunal by the next date, otherwise, the Tribunal will be compelled to initiate necessary contempt proceedings against him on the next date.

Let the matter appear under the heading “**For Orders**” on **19.12.2024**.

SAYEED AHMED BABA
Officiating Chairperson & Member (A)

CSM/SS