

ORDER SHEET
WEST BENGAL ADMINISTRATIVE TRIBUNAL

Bikash Bhavan, Salt Lake, Kolkata – 700 091.

Present-

The Hon'ble Sayeed Ahmed Baba, Officiating Chairperson and Administrative Member

Case No – CCP – 70 of 2023 (OA-2535 of 2006)

**BASKI NATH DHABAK & ANR. Vs Smt. Sathi Chatterjee, the Director of Personnel &
Ex-Officio Chief Engineer, Irrigation & Waterways Directorate,
Government of West Bengal & Ors.**

Serial No. and Date of order	For the Applicants	:	Mr. Gautam Pathak Banerjee, Learned Advocate
<u>6</u> 30.07.2025	For the Alleged Contemnor / Opposite Party	:	Mr. Sankha Ghosh, Learned Advocate

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.

Mr. Ghosh, learned counsel files memo No.1137 dated 04.07.2025, enclosing memo No.3889 dated 23.06.2025 and memo No.3929 dated 03.07.2025, memo No.3928 dated 03.07.2025. Let those be kept on record.

Memo Nos. 3889 and 3928 are the reasoned orders passed by the Director of Personnel & Ex-Officio Chief Engineer, Irrigation & Waterways Directorate in compliance to a direction dated 08.12.2022 in OA 2535 of 2006. The relevant part of the reasoned order in compliance to the Tribunal's direction is as under:

“Based on the facts and circumstances and ibiding the Hon'ble WBAT & High Court at Calcutta, it is decided that Sri Debasis Chakraborty is eligible and considered to get the award of MCAS by appreciating higher salary as stipulated basic grade scale, not the personnel's own personal scale therein. While considering the matter O.A. 11786 of 2007, if any amount had been deducted from the employee, the same amount shall be refunded.”

Mr. Ghosh, learned counsel submits that by passing this reasoned order, the alleged contemnor has fully complied with the directions of this Tribunal.

Mr. Banerjee with Mr. Chatterjee, learned counsels for the applicant do agree, but submit that the amounts recovered are yet to be refunded to the applicant/his legal heirs.

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Mr. Ghosh, learned counsel assures that after this order all the benefits, including the recovered amounts will be released to the applicant.

From the above submissions, the Tribunal is satisfied that the direction in the order of this Tribunal has been complied and it is expected from the alleged contemnor that whatever amount is to be released to the applicant will be released in due course of time, preferably within six months' time from the date of communication of this order.

The contempt proceedings are dropped and this contempt application is disposed of.

(SAYEED AHMED BABA)
OFFICIATING CHAIRPERSON
and MEMBER (A)

SCN.