

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 82 of 2023 [OA 1727 of 2009]

Chanchal Mukherjee -- VERSUS – Ms. Nandini Chakraborty, Pr. Secy., Home Police.

Serial No. and Date of order	For the Applicant	: Mr. Falguni Bandyopadhyay, Ld. Advocate.
<u>04</u> 07.03.2025	For the Contemnor/OP No. 1	: Mr. M.N. Roy, Ld. Advocate.
	For the Other Contemnors	: Mr. Ranjit Kumar Mondal, Ld. 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.

Affidavit of service filed be kept on record.

This contempt application has been filed by the applicant for being aggrieved that the direction of this Tribunal has not been complied by the respondent authorities. As records in this application show that this Tribunal on 09.10.2012 in OA 1727 of 2009 had passed a direction for awarding a simple interest of 18% to the applicant. Such order was to be complied for end of February, 2013.

Mr. M.N. Roy, learned counsel appearing on behalf of the alleged Contemnor No. 1, Ms. Nandini Chakraborty, Principal Secretary, Department of Home & Hills Affairs argues that such a direction of the Tribunal in OA 1727 of 2009 was not directed by the Tribunal to comply to such order. Therefore, Ms. Nandini Chakraborty is not the alleged Contemnor No.1 and therefore, her name may be expunged. The Tribunal is satisfied with his submission. Let the name of Ms. Nandini Chakraborty be expunged as the alleged Contemnor No. 1 from the array of the respondents.

The Tribunal after carefully reading of the order is the opinion that although an order was passed by this Tribunal in OA 1727 of 2009 on 09.10.2012 but neither an office nor any official has been named to comply with such direction. In absence of any office or person named in the direction, such compliance is not

ORDER SHEET

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feasible. Unless the Tribunal had recorded specific name of an office or an official for compliance, such order will remain incomplete.

In view of above observation, the Tribunal does not find this contempt application alleging non-compliance of the Tribunal's order admissible. Liberty is given to the applicant's side to file a Miscellaneous Application praying for modification of the Tribunal's order in OA 1727 of 2009.

Accordingly, this application is **disposed of**.

SAYEED AHMED BABA
Officiating Chairperson & Member (A)

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