

**WEST BENGAL ADMINISTRATIVE TRIBUNAL**

Bikash Bhavan, Salt Lake, Kolkata – 700 091.

Present-

The Hon'ble Justice Soumitra Pal, Chairman

Case No. – MA 9 OF 2021 (CCP 27 OF 2020)

**SMT. JULI DEY - VERSUS - THE STATE OF WEST BENGAL & ORS.**

Serial No. and Date of order	For the Applicant	: Mrs.J.Dey Advocate (Appears in person)
<u>01</u> 27.01.2021	For the Contemnor/ Respondent	:Mr.G.P.Banerjee Advocate

The matter is taken up by the single Bench pursuant to the Notification No.949-WBAT/2J-15/2016 dated 24<sup>th</sup> December, 2020 issued in exercise of the powers conferred under sub-Section (6) of Section 5 of the Administrative Tribunals Act, 1985.

By the consent of Mrs.J.Dey, learned advocate for the applicant and Mr.G.P.Banerjee, learned advocate for the alleged contemnor, the contempt application is taken up as the records are already before the Tribunal along with MA-09 of 2021.

This contempt application has been filed alleging non-compliance of the directions contained in the order dated 12<sup>th</sup> July, 2019 in OA-157 of 2019 (Sandeep Kumar De Vs. The State of West Bengal & Others).

It is submitted by Mrs.Dey, learned advocate and wife of the applicant that the original applicant as well as the applicant in the contempt application has expired during the pendency of the contempt application. Prayer is that the directions contained in the order passed on 12<sup>th</sup> July, 2019 be carried out. On a query, it is submitted that the departmental proceedings have not been initiated pursuant to the order of the Tribunal and certain monetary benefits have not been granted.

**ORDER SHEET**

Form No.

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Vs.  
THE STATE OF WEST BENGAL & OTHERS.

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Mr.G.P.Banerjee, learned advocate appearing on behalf of the alleged contemnor submits that though belatedly the proceedings had begun and during the pendency of the proceedings the applicant has expired.

For assistance I requested Mr.M.N.Roy, learned advocate to appear in this matter to which Mr.Roy, in his usual fairness, has agreed. It is submitted by Mr.Roy, after conversing with Mrs.Dey, that since the applicant has expired, the departmental proceedings, if any, have abated and if there are monetary dues, the applicant has to file a fresh application.

Mr.Banerjee, agrees to the submission of Mr.Roy.

Since the applicant has expired and the departmental proceedings, if any, have abated, no order can be passed on the contempt application. Therefore, the contempt application is disposed of. However, the applicant is at liberty to apply for the other dues, if any, including the period of absence of Late Sandeep Kumar De, if any, during service.

In view of the order passed in CCP- 27 of 2020 arising out of OA-157 of 2019, no order is passed on the Miscellaneous application being no. MA-9 of 2019 for substitution. The Miscellaneous application is disposed of.

Since for circumstances beyond control the Registry is unable to furnish plain copies of this order to the learned advocates for the parties, the Registry is directed to upload this order on the website of the Tribunal forthwith and parties are directed to act on the copies of the order downloaded from the website.

BLR

(SOUMITRA PAL)  
CHAIRMAN