

WEST BENGAL ADMINISTRATIVE TRIBUNAL

Bikash Bhavan, Salt Lake, Kolkata – 700 091.

Present-

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

Case No. – OA 73 of 2019

Krishna Pada Ghosh & Ors. - VERSUS - THE STATE OF WEST BENGAL & ORS.

Serial No. and Date of order	For the Applicant	:Mr. G. P. Banerjee, Ms. S. Agarwal, Ld. Advocates
<u>09</u> 05.02.2021	For the State Respondent	: Mr. R.K. Mondal, Ld. Advocate

The matter is taken up by the Single Bench pursuant to the Notification No.949-WBAT/2J-15/2016 dated 24.12.2020 issued in exercise of the power conferred under Sub Section (6) of Section 5 of the Administrative Tribunals Act 1985.

With the consent of both the parties the matter is taken up.

The counsel for the applicants has prayed for leave to add Principal Secretary as a party 2(i)(a). Leave is granted. The instant application has been filed basically praying for implementation of the order dated 30.07.2010 passed by this Tribunal in OA 662 of 2010 Babul Adhikary & Others –Vs- State of West Bengal & Others, whereby this Tribunal had directed the CMOH, Jalpaiguri to consider the application of OA 662 of 2010 as a representation of the applicants and to dispose it of by a reasoned order within a period of four weeks. However, according to the applicants, till date no such decision has been communicated to him. On the other hand against RTI communication dated 30.11.2018 to Chief Medical Officer of Health Jalpaiguri vide his Memo dated 18.12.2018 had communicated that no decision has been communicated from Swasthya Bhavan till date.

Therefore, the counsel for the applicant has submitted that since till date no decision has been communicated or the order dated 30.07.2010 has not been complied with, it would suffice their purpose if the respondent No.2(i) directed to take the final decision in

ORDER SHEET

Form No.

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pursuance to the order dated 30.07.2010 passed in OA 662 of 2010 by way of a reasoned and speaking order and communicated the same within a period of four weeks from the date of receipt of the order after giving an opportunity of hearing to the applicants.

However, the counsel for the respondents has submitted that he wants to file reply. But, he had also admitted that no decision has been communicated to the applicants till date.

In view of the above, the respondent No.2(i)(a) is directed to take the final decision as per direction of this Tribunal dated 30.07.2010 and communicated the same by way of reasoned and speaking order within a period of three months after giving an opportunity of hearing to the applicants From the date of receipt of this order. Accordingly, the OA is disposed of with no order as to cost. Both the parties are directed to act upon the Web copy of the order.

gm

Mrs. Urmita Datta (Sen)
Member(J)