

**ORDER SHEET**  
**West Bengal Administrative Tribunal**

Present.-  
The Hon'ble Justice Ranjit Kumar Bag  
&  
The Hon'ble Dr. Subesh Kumar Das

Case No. **CCP - 06 of 2017(OA-426 of 2015)**

*Shri M V Rao, Principal Secretary,  
Department of Co-Operation, Govt. of  
W.B.*

*Alok Kumar Seth*

Versus

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<u>08</u> 13/12/2018	<p><b>For the Contempt Petitioner :</b> <i>Mr. N. Ganguly, Ld. Advocate.</i></p> <p><b>For the Contemnor Respondent (OP)</b> : <i>Mr. M.N. Roy, Ld. Advocate.</i></p> <p style="text-align: center;"><i>By placing notification No. 1576-Co-op/E/Misc.-06/2015 dated December 11, 2018 issued by the Joint Secretary to the Government of West Bengal, Department of Co-Operation, Mr. M.N. Roy, Learned Counsel representing the contemnor submits that the order of the Tribunal has already been complied with by giving promotion to the applicant in the post of Senior Auditor, Grade-I under Department of Co-Operation w.e.f. July 08, 2008 till the date of his retirement on January 31, 2009 by creating (post-facto) a Supernumerary post and the applicant has been given all corresponding financial benefits including retirement benefits consequent upon promotion.</i></p> <p style="text-align: center;"><i>Learned Counsel representing the applicant submits that the applicant has not yet received the actual financial benefit consequent upon promotion to the post of Senior Auditor, Grade-I under Department of Co-Operation and as such full compliance of the</i></p>	

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Csm	<p><i>direction of the Tribunal has not yet been done. We are unable to accept this contention made on behalf of the applicant, as the Joint Secretary to the Government of West Bengal, Department of Co-Operation has already issued notification dated December 11, 2018 with the concurrence of the Finance Department, Audit Branch, Government of West Bengal for giving financial benefit to the applicant consequent upon promotion. In view of our above findings, we can safely hold that order of the Tribunal dated April 20, 2016 passed in OA-426/2014 has already been complied with by the contemnor. Let a copy of the said notification be kept on record. The contempt application, thus, stands <b>disposed of</b>.</i></p> <p style="text-align: center;"><b>S. K. DAS</b> <b>MEMBER(A)</b></p> <p style="text-align: center;"><b>R. K. BAG</b> <b>MEMBER(J)</b></p>	

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