

**ORDER SHEET**

**WEST BENGAL ADMINISTRATIVE TRIBUNAL**

**Present-**

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

Case No – **CCP 129 OF 2016 [OA 1307 of 2013]**

**Dr. Tirtha Pati Nath & Ors. Vs. Smt. Sanghamitra Saha, IAS, Secretary, Deptt. of Health & Family Welfare, Govt. of W.B.**

Serial No. and Date of order. 1	Order of the Tribunal with signature 2	Office action with date and dated signature of parties when necessary 3
07 21.11.2019	<p><b>For the Applicants</b> : Mr. K. Bera, Learned Advocate.</p> <p><b>For the Contemnor OP</b> : Mr. S.N. Ray, Learned Advocate.</p> <p><b>For the Finance Deptt</b> : Mr. G.P. Banerjee, Learned Advocate.</p> <p>Learned Counsel for the applicants submits that the order of the Tribunal for whose violation the contempt application is filed before the Tribunal, was challenged by the state respondents before the Hon'ble High Court by filing WPST 212 of 2016, which was dismissed for default on June 17, 2019. Learned Counsel further submits that there is no bar to proceed with the hearing of the contempt application as WPST filed by the state respondents has been dismissed for default and no stay order was passed in the said writ application by the Hon'ble High Court.</p> <p>On the other hand, Learned Counsel representing the contemnor contends that the state respondents have already filed CAN 8657 of 2019 and CAN 8658 of 2019 praying for restoration of writ application before the Hon'ble High Court.</p> <p>Under the above circumstances, we would like to grant the state respondents reasonable opportunity to bring appropriate order from the Hon'ble High Court within a period of next 3 (three) months.</p> <p>Liberty is given to the applicants to amend the cause title of the contempt application by incorporation</p>	

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Dr. Tirtha Pati Nath & Ors.

Form No. ....

.....  
**Vs.**

Smt. Sanghamitra Saha, IAS, Secretary, Deptt. of Health & Family Welfare, Govt. of W.B.

Case No. CCP 129 OF 2016 [OA 1307 OF 2013] .....

of the names of the present incumbents holding the office and by deleting the names of the previous incumbents as contemnors in course of this day.

The applicants are further directed to serve notice and copy of the contempt application along with annexures including copy of judgment and order alleged to have been violated by the contemnors on the present contemnors by name by speed post within a period of 4 (four) weeks and file affidavit of service in this regard on the next date of hearing.

List the matter under the heading **“Hearing”** on **26.02.2020**.

Let a plain copy of this order be supplied to both parties.

**( S.K. DAS )**  
MEMBER(A)

**( R. K. BAG )**  
MEMBER (J)

Sanjib