

**ORDER SHEET**

**WEST BENGAL ADMINISTRATIVE TRIBUNAL**

**Present-**

**The Hon'ble JUSTICE RANJIT KUMAR BAG  
& The Hon'ble DR. SUBESH KUMAR DAS**

**Case No – CCP 130 OF 2014 (OA 917 of 2013)**

*Rekha Saha Sarkar Vs Shri Arnab Roy, Secretary, School Education*

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
24 <hr/> 11.12.2018	<p><i>For the Applicant : Mr. S.K. Mondal, Learned Advocate.</i></p> <p><i>For the Contemnor/O.P : Mr. M.N. Roy Learned Advocate.</i></p> <p style="text-align: center;"><i>Compliance report submitted by the contemnor on December 06, 2018 is kept on record. The applicant has prayed for issuance of contempt rule against the contemnor for wilful violation of order dated February 17, 2014 passed by this Tribunal in connection with OA 917 of 2013. The direction given by the Tribunal on February 17, 2014 in OA 917 of 2013 is as follows :</i></p> <p style="text-align: center;"><i>“ We, therefore, allow all the 3 (three) applications and direct the Secretary of Schools Education to accord necessary approval within 8 (eight) weeks from communication of this order to such authority who will be ultimately responsible for disbursement of the proper pay scale to the petitioners in view of circular of 1991 from the date such payment shall be admissible. We also direct that after clearance from the Secretary School Education, the concerned authority who will be actually responsible for such disbursement must make arrangement for such disbursement within a period of 4 (four) months on receipt</i></p>	

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.....

of the order from the authority. All the 3 (three) applications accordingly stands allowed.”

*On perusal of the direction given by the Tribunal, we find that the contemnor No. 1A was directed to afford necessary approval and communicate the same to the authority responsible for disbursement of proper pay scale to the applicant in terms of circular of 1991. The contemnor also directed the concerned authority for making actual payment by way of disbursement of the amount. Who is the concerned authority has not been spelt out in the order of the Tribunal. It appears from the compliance report that an amount of Rs. 6,71,166/- was disbursed in favour of the applicant. Learned Counsel for the applicant submits that the order of pay fixation has not been communicated to the applicant and thereby the order of the Tribunal has been complied with. We do not find any merit in submission made by Learned Counsel for the applicant as there is no specific direction by the Tribunal for fixation of pay by any of the respondents. Since the amount of arrears of salary has already been disbursement in favour of the applicant, we are of the view that the order of the Tribunal has been complied with.*

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*Accordingly, the contempt application stands disposed of.*

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

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

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

*H.S*