

ORDER SHEET
West Bengal Administrative Tribunal

Present.-

The Hon'ble Justice Ranjit Kumar Bag
&

The Hon'ble Dr. Subesh Kumar Das

Case No. CCP-25 of 2019 (OA 636 of 2018)

Subodh Dana & Ors.

Versus

Smt. Madhumita Choudhury,
Commissioner, Sericulture

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
<p style="text-align: center;">04 <u>27/09/2019</u></p>	<p>For the Contempt Petitioners</p> <p style="padding-left: 40px;">Mr. S. Agarwal, : Ld. Advocate.</p> <p>For the Contemnor Respondent</p> <p style="padding-left: 40px;">: Mr. S.N. Ray, Ld. Advocate.</p> <p>Liberty is given to Learned Counsel for the applicants to delete the name of applicant no. 11 on the ground that he is already dead in course of this day.</p> <p>The applicants have prayed for issuance of the contempt rule against the contemnor for willful violation of the order dated September 18, 2018 passed in OA-636/2018.</p> <p>On September 18, 2018 this Tribunal gave direction to the Contemnor/Commissioner of Textiles and Sericulture, Directorate of Textiles (Sericulture), Government of West Bengal to consider entitlement of 15 applicants to receive remuneration as daily rated casual employees in terms of memorandum dated May 20, 2013 and memorandum dated February 25, 2016 issued by the Finance Department, Audit Branch, Government of West Bengal within a period of 12 (twelve) weeks from the date of communication of the order and take necessary follow-up action within a</p>	

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	<p>period of 04 (four) weeks thereafter.</p> <p>By filing compliance report, the contemnor has specifically disclosed in paragraph 7 of the report that the applicants are not entitled to get the benefit of daily rated casual employee in terms of memorandum no. 9008-F(P) dated September 16, 2011 issued by the Finance Department, Audit Department, Government of West Bengal on the ground that they are seasonal workers and were engaged on daily rated basis every year. Admittedly, the applicants are not entitled to get financial benefits in terms of memorandum dated May 20, 2013 and memorandum dated February 25, 2016, unless and until they fulfill the conditions laid down in previous memorandum no. 9008-F(P) dated September 16, 2011. Accordingly, we are of the view that the order of the Tribunal has already been complied with by the contemnor by taking decision about entitlement of the applicants to get benefits in terms of the Memorandums dated May 20, 2013 and February 25, 2016 and the said decision has also been communicated to the applicants as permitted by us on the previous date of hearing by issuing different letters sent under speed post on September 25, 2019. Since the order of the Tribunal has already been complied with, the contempt application stands</p>	

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Csm	<p>disposed of.</p> <p>Let a Plain Copy of the order be supplied to both parties.</p> <p>S. K. DAS MEMBER(A)</p> <p>R. K. BAG MEMBER(J)</p>	