

ORDER SHEET
West Bengal Administrative Tribunal

Present.-
The Hon'ble
&
The Hon'ble

Case No. **CCP – 41 of 2008**

Shila Bhattacharyya & Others. Versus *Mrs. Sanghamitra Ghosh, IAS, Secretary,
Department of Women & Child Welfare and
Social Welfare & Others.*

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<u>18</u> 03/04/2018	<p>For the Applicants : <i>Mr. Apurba Lal Basu,</i> <i>Advocate.</i></p> <p>For the State Respondents : <i>N O N E.</i></p> <p>For the Finance Department : <i>Mr. Manujendra Narayan Roy,</i> <i>Advocate.</i></p> <p style="text-align: center;"><i>It is noted that there is only one file, another file for the Second Judge is not available. The Registry is directed to look into the matter and to place the second file on the next date positively.</i></p> <p style="text-align: center;"><i>The instant Contempt petition has been filed praying for implementation of the Judgment dated 20/09/2007 passed in OA No. 1646 of 1998 whereby the following order was passed</i></p> <p style="text-align: center;"><i>“Accordingly, we quash and set aside the impugned order dated 08-12-1990 passed by the Joint Secretary, Finance Department and the order of the Deputy Secretary, Social Welfare Department issued on 03-04-1998 together with the order dated 22-04-1998 issued by the Officer on Special Duty</i></p>	

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	<p>and Ex-Officio Director of Social Welfare with a further direction upon the Respondents to consider the case of the petitioners for grant of Career Advancement Scheme benefit in terms of the extant rule within the period of 03 months from the date of communication of this order, and the Respondent Authorities are further restrained from withdrawing the benefit under Career Advancement Scheme from the petitioners, who are enjoying such benefit under the said scheme.”</p> <p><i>The Counsel for the applicants has submitted that against the order dated 20/09/2007, the respondents had preferred a WPST No. 147/2009 before the Hon’ble High Court, which was dismissed on 11/08/2016. Against which, the State had again preferred a SLP (Civil) Diary No. 40494/2017 and Hon’ble</i></p>	

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	<p><i>Apex Court vide their order dated 05/02/2018 again dismissed the SLP. Therefore, the respondent has to comply with the original order of this Tribunal. But, till date, no such compliance has been made.</i></p> <p><i>We have heard the Counsel for the applicants and the Finance Department. None for the contemnors/respondents. Perused the records as well as the order of the Hon'ble Apex Court dated 05/02/2018.</i></p> <p><i>In view of the above, the contemnors are granted six weeks time as a last chance to comply with the order and to file compliance report by the next date. In default, Mrs. Sanghamitra Ghosh, the Secretary, Women & Child Development and Social Welfare Department be present before this Court to explain such non compliance.</i></p> <p><i>During the course of the hearing, the Counsel for the applicant has prayed for grant of leave to add the present Secretary, Women & Child Development and Social Welfare Department as a party contemnor. Prayer is allowed.</i></p> <p><i>The Counsel for the applicants is directed to serve a copy of today's order to the newly added contemnor.</i></p>	

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<i>Rajat</i>	<p><i>Let the matter be listed on 27.06.2018.</i></p> <p><i>Plain copy.</i></p> <p>Dr. A. K. CHANDA MEMBER(A)</p> <p>URMITA DATTA (SEN) MEMBER(J)</p>	

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