

**ORDER SHEET**

**WEST BENGAL ADMINISTRATIVE TRIBUNAL**

**Present-**

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

**Case No – CCP 43 OF 2018**

*Pranab Kumar Sahu Vs Shri Atri Bhattacharya, I.A.S., Home Secretary, Government of West Bengal.*

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
01 <hr/> 01.08.2018	<p><i>For the Applicant : Mr. A.K. Roy, Mr. R.K. Mondal, Learned Advocates.</i></p> <p><i>For the Contemnor/O.P : Mr. G.P. Banerjee, Learned Advocate.</i></p> <p><i>The applicant has prayed for issuance of contempt rule for wilful violation of the order passed by the Tribunal on June 21, 2017 in CCP 91 of 2016 which arises out of OA No. 745 of 2011.</i></p> <p><i>It appears from order dated June 21, 2017 passed by the Tribunal in CCP No. 91 of 2016 that the previous order passed by the contemnor on April 26, 2016 as Additional Director General and Inspector General of Police (L&amp;O), West Bengal and holding additional charge of Inspector General of Police (Headquarters), West Bengal was set aside. The Tribunal gave direction to the contemnor to re-visit his decision after giving the applicant an opportunity of hearing by recording fresh findings within a period of four weeks from the date of receipt of the order. The Tribunal also gave direction to re-open the issue for the purpose of taking fresh decision in the light of the direction passed by the Tribunal.</i></p>	

**ORDER SHEET**

*Pranab Kumar Sahu*

Form No. ....

**Vs.**

**Shri Atri Bhattacharya, I.A.S., Home Secretary, Government of West Bengal**  
.....

Case No. **CCP 43 OF 2018**

*Having heard Learned Counsel representing both parties and on consideration of the reasoned order passed by the contemnor, we find that the contemnor has re-visited the issue of granting Earned Leave to the applicant in lieu of Extra Ordinary Leave which is granted in favour of the applicant. The grievance of the applicant is that Half Pay Leave to the credit of the applicant was not commuted on medical ground inspite of submission of the application by the applicant before the contemnor. If the applicant is aggrieved by the reasoned order passed by the contemnor, the application is at liberty to challenge the said order by filing fresh original application. Since the contemnor has complied with the direction given by the Tribunal in the previous contempt application, we are of the view that the contemnor has complied with the direction given by the Tribunal by re-visiting the issue and by taking fresh findings as directed by the Tribunal. Accordingly, the contempt application is 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