

# ORDER SHEET

## West Bengal Administrative Tribunal

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

Case No.

Versus .

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<p style="margin: 0;"><u>04</u> 16/08/2018</p>	<p><b>Case No. MA - 127 of 2018 arising out of CCP - 54 of 2018 : Dr. Moumita Das (Sarkar) Vs. Mr. Anil Verma, I.A.S, the Principal Secretary, Department of Health &amp; Family Welfare, Government of West Bengal &amp; Another.</b></p> <p><b>For the Contempt Petitioner :</b> <i>Mr. S. K. Das,</i> <i>Learned Advocate.</i></p> <p><b>For the Contemnor OPs :</b> <i>Mr. G. P. Banerjee,</i> <i>Learned Advocate.</i></p> <p><b>Case No. MA - 128 of 2018 arising out of CCP - 55 of 2018 : Dr. Nabanita Biswas Vs. Mr. Anil Verma, I.A.S, the Principal Secretary, Department of Health &amp; Family Welfare, Government of West Bengal &amp; Another.</b></p> <p><b>For the Contempt Petitioner :</b> <i>Mr. S. K. Das,</i> <i>Learned Advocate.</i></p> <p><b>For the Contemnor OPs :</b> <i>Mr. G. P. Banerjee,</i> <i>Learned Advocate.</i></p> <p><b>Case No. MA - 135 of 2018 arising out of CCP - 56 of 2018 : Dr. Amit Kumar Mondal Vs. Mr. Anil Verma, I.A.S, the Principal Secretary, Department of Health &amp; Family Welfare, Government of West Bengal &amp; Another.</b></p> <p><b>For the Contempt Petitioner :</b> <i>Mr. S. K. Das,</i> <i>Learned Advocate.</i></p> <p><b>For the Contemnor OPs :</b> <i>Mr. G. P. Banerjee,</i> <i>Learned Advocate.</i></p> <p><b>Case No. MA - 129 of 2018 arising out of CCP - 57 of 2018 : Dr. Arijit Roy &amp; Others Vs. Mr. Anil Verma, I.A.S, the Principal Secretary, Department of Health &amp; Family Welfare, Government of West Bengal &amp; Another.</b></p> <p><b>For the Contempt Petitioners :</b> <i>Mr. S. K. Das,</i> <i>Learned Advocate.</i></p> <p><b>For the Contemnor OPs :</b> <i>Mr. G. P. Banerjee,</i> <i>Learned Advocate.</i></p>	

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**Case No. CCP – 54 of 2018 : Dr. Moumita Das (Sarkar) Vs. Mr. Anil Verma, I.A.S, the Principal Secretary, Department of Health & Family Welfare, Government of West Bengal & Another.**

**For the Contempt Petitioner :** Mr. S. K. Das,  
Learned Advocate.

**For the Contemnor OPs :** Mr. G. P. Banerjee,  
Learned Advocate.

**Case No. CCP – 55 of 2018 : Dr. Nabanita Biswas Vs. Mr. Anil Verma, I.A.S, the Principal Secretary, Department of Health & Family Welfare, Government of West Bengal & Another.**

**For the Contempt Petitioner :** Mr. S. K. Das,  
Learned Advocate.

**For the Contemnor OPs :** Mr. G. P. Banerjee,  
Learned Advocate.

**Case No. CCP – 56 of 2018 : Dr. Amit Kumar Mondal Vs. Mr. Anil Verma, I.A.S, the Principal Secretary, Department of Health & Family Welfare, Government of West Bengal & Another.**

**For the Contempt Petitioner :** Mr. S. K. Das,  
Learned Advocate.

**For the Contemnor OPs :** Mr. G. P. Banerjee,  
Learned Advocate.

**Case No. CCP – 57 of 2018 : Dr. Arijit Roy & Others Vs. Mr. Anil Verma, I.A.S, the Principal Secretary, Department of Health & Family Welfare, Government of West Bengal & Another.**

**For the Contempt Petitioners :** Mr. S. K. Das,  
Learned Advocate.

**For the Contemnor OPs :** Mr. G. P. Banerjee,  
Learned Advocate.

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**Case No. CCP – 58 of 2018 : Durga Pada Ghosh Vs. Mr. Anil Verma, I.A.S, the Principal Secretary, Department of Health & Family Welfare, Government of West Bengal & Another.**

**For the Contempt Petitioner :** Mr. K. K. Roy,  
Learned Advocate.

**For the Contemnor OPs :** Mr. G. P. Banerjee,  
Learned Advocate.

**Case No. CCP – 59 of 2018 : Utpal Kumar Panda & Others Vs. Mr. Anil Verma, I.A.S, the Principal Secretary, Department of Health & Family Welfare, Government of West Bengal & Another.**

**For the Contempt Petitioners :** Mr. K. K. Roy,  
Learned Advocate.

**For the Contemnor OPs :** Mr. G. P. Banerjee,  
Learned Advocate.

**Case No. CCP – 60 of 2018 : Dr. Soumya Kundu & Others. Vs. Mr. Anil Verma, I.A.S, the Principal Secretary, Department of Health & Family Welfare, Government of West Bengal & Another.**

**For the Contempt Petitioners :** Mr. K. K. Roy,  
Learned Advocate.

**For the Contemnor OPs :** Mr. G. P. Banerjee,  
Learned Advocate.

**Case No. CCP – 61 of 2018 : Dr. Asis Kumar Ghosh & Others Vs. Mr. Anil Verma, I.A.S, the Principal Secretary, Department of Health & Family Welfare, Government of West Bengal & Another.**

**For the Contempt Petitioners :** Mr. K. K. Roy,  
Learned Advocate.

**For the Contemnor OPs :** Mr. G. P. Banerjee,  
Learned Advocate.

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**Case No. CCP – 62 of 2018 : Mosiur Rahaman Vs. Mr. Anil Verma, I.A.S, the Principal Secretary, Department of Health & Family Welfare, Government of West Bengal & Another.**

**For the Contempt Petitioner :** Mr. K. K. Roy,  
Learned Advocate.

**For the Contemnor OPs :** Mr. G. P. Banerjee,  
Learned Advocate.

*The applicants have prayed for substitution of the name of contemnor no.1 by incorporating the name of the present incumbent viz. Shri Rajiva Sinha, Additional Chief Secretary, Government of West Bengal, Department of Health & Family Welfare by way of amendment of cause title of the contempt applications.*

*Having hearing the Learned Counsel representing both parties and on consideration of the fact that Mr. Rajiva Sinha has taken over charge of the Department of Health & Family Welfare, Government West Bengal as Additional Chief Secretary in place of the previous incumbent Mr. Anil Verma, prayer of the applicants is allowed. Liberty is given to the applicants to incorporate the name of Mr. Rajiva Sinha in place of Mr. Anil Verma as contemnor no.1 in all the contempt applications by way of amendment of cause title in course of this day. **All miscellaneous applications, thus, stand disposed of.***

*Learned Counsel for the applicants has placed on record copy of the judgment delivered by the Division Bench of the Hon'ble High Court on August 10, 2018 in connection with WPST No. 54 of*

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2018, whereby the Hon'ble High Court has affirmed the judgment and order passed by this Bench of the Tribunal. Let the same be kept on record. It appears from the said judgment and order passed by the Hon'ble High Court that the Hon'ble High Court has extended period of time for compliance with the direction given by the Tribunal by the contemnors for two weeks more from the date of delivery of the judgment. Mr. G. P. Banerjee, Learned Counsel representing the state respondents / contemnors submits that the date for compliance with the direction will expire on August 24, 2018. Accordingly, the contemnors will comply with the direction of the Tribunal within the time frame given by the Division Bench of the Hon'ble High Court.

The applicants are directed to serve fresh notice along with copy of this order and copy of the contempt application on the contemnor no.1, Mr. Rajiva Sinha by speed post within a period of one week from this date.

**Having heard the Learned Counsel representing both parties and on consideration of judgment and order passed by the Hon'ble High Court in WPST 54 of 2018 and the previous order of issuance of contempt rule on July 18, 2018, the contemnor no. 2, Dr. Ajay Chakranborty, Director of Health Services, Government of West Bengal is directed to be personally present before this Bench of the Tribunal on August 29, 2018 at 11 A.M and not to leave**

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***the Tribunal without permission, if the order of the Tribunal is not complied with by August 24, 2018.***

*The order passed today will govern the other connected contempt applications listed for hearing on this date.*

*List the contempt applications under the heading “**hearing**” on **29<sup>th</sup> August, 2018** at the **top of the list.***

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

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

*Rajat*

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