

**ORDER SHEET****WEST BENGAL ADMINISTRATIVE TRIBUNAL****Present-**

The Hon'ble Mrs. Urmita Datta (Sen), Member(J)

The Hon'ble Mr. P. Ramesh Kumar, Member(A)

Case No – CCP-79 of 2018 (OA- 74 of 2018).Subhasish Chakraborty. Vs Mr. Atri Bhattacharya, Pr.Secy.,Home & Hill Affairs Deptt.,Govt.of W.B.

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
08 <hr/> 10/04/2019	<p>For the Applicant : Mr. M. Karim, Advocate.</p> <p>For the Contemnor O.P.: Mr. G.P. Banerjee, Advocate.</p> <p><i>The counsel for the applicant has filed the instant application being aggrieved with the non-compliance of the order dated 10.04.18,whereby the Principal Secretary, Home &amp; Hill Affairs Department was directed to consider the representation of the applicant and review the order of suspension of the applicant with regard to the enhanced subsistence allowance as per rules and to pass a reasoned and speaking order by getting the same to the applicant within a period of four weeks from the date of issue of the order. Today the counsel for the contemnor has placed one order dated 15.11.18 and has submitted that by the aforesaid order the authority has reviewed the order of suspension as well as subsistence allowance. With regard to the suspension order, it has been decided to be continued and with regard to the enhancement of subsistence allowance, 25% of subsistence allowance has been enhanced. Therefore, the counsel for the contemnor have submitted that they</i></p>	

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GM	<p><i>have fully complied with the order of this Tribunal.</i></p> <p><i>However, the counsel for the applicant has submitted that though an order of enhancement of 25% has already been passed but till today he has not received the said enhanced amount. According to him the order has not been fully complied with. However, the counsel for the contemnor has vehemently objected to the said contention and has submitted that the order to be complied has been complied by letter and spirit. However, Even if the applicant has any grievance, it may file separate application.</i></p> <p><i>Heard both the parties and perused the order passed by the authority on 15.11.18 in compliance with our order dated 10.04.18. It is observed that both the issue of suspension as well as subsistence allowance has been considered and even allowance has already been enhanced. Therefore, we are satisfied that the order has been substantially complied with. However, if the applicant is still aggrieved, he is at liberty to take appropriate steps, if so advised. Accordingly, <b>CCP is dropped</b>, notices are discharged.</i></p> <p><b>P. RAMESH KUMAR MEMBER(A)</b></p> <p><b>URMITA DATTA (SEN) MEMBER(J)</b></p>	

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