

ORDER SHEET
WEST BENGAL ADMINISTRATIVE TRIBUNAL

Present-

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

Case No – **CCP 99 OF 2018** [OA 911 of 2016]

Jogesh Basunia Vs Mr. S. Suresh Kumar, Secretary, Labour.

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
03 11.07.2019	<p>For the Applicant : Mr. N.N. Das, Mrs. S. Agarwal, Learned Advocates.</p> <p>For the Contemnor OP : Mr. S.N. Ray, Learned Advocate.</p> <p>Leave is granted to Learned Counsel for the applicant to amend the date appearing in paragraph 1 of the contempt application as "17.04.05" instead of "17.04.06" in course of this day.</p> <p>The fresh compliance report submitted on behalf of the contemnor is kept on record.</p> <p>Learned Counsel for the applicant submits that the order of the Tribunal has not been complied with by the contemnor, because the applicant was not allowed to continue in casual employment and arrears of remuneration were not released in favour of the applicant till date. On the other hand, Learned Counsel for the contemnor submits that the applicant cannot continue in casual employment in terms of observation of the Finance Department made on March 6, 2014 which is specifically made when the case of the applicant was referred to the Finance Department. Learned Counsel for the contemnor further submits that the employment of the applicant was</p>	

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discontinued w.e.f. October 1, 2014 and as such the applicant is entitled to get remuneration during the period from October 25, 2008 to September 30, 2014. He further submits that out of total arrears of remuneration of Rs.4,03,206/-, payment has already been made to the tune of Rs.2,50,612/- and the balance amount of Rs.1,52,594/- will be paid after obtaining approval from the Finance Department.

Under the above circumstances, we are not in a position to accept the compliance report of the contemnor submitted today. We would like to grant the contemnor another opportunity to file fresh compliance report within a period of next 8 (eight) weeks.

List the matter under the heading "**For Order**" on **30.09.2019**.

(S.K. DAS)
MEMBER(A)

(R. K. BAG)
MEMBER (J)

Sanjib