

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

The Hon'ble Justice Soumitra Pal (Chairman)
& The Hon'ble Mr. Subesh Kumar Das (Administrative Member)

Case No – CCP – 170 of 2016

RANJIT MAHAR & ORS. Vs Mr. Vinod Kumar, I.A.S, The Principal Secretary, Health & Family Welfare Department, Government of West Bengal & Ors.

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
<p>13</p> <hr/> <p>24.09.2018</p>	<p>For the Applicant : Mrs. S. Agarwal Advocate</p> <p>For the State Respondent: Mr. S.N. Roy Advocate</p> <p>This contempt application has been filed by the applicants alleging that the directions contained in the order dated 11th September, 2015 passed in O.A. 868 of 2015 (Bikash Das + 4 Ors. vs. The State of West Bengal & Ors.) have been violated. It is submitted by Mrs. S. Agarwal, learned advocate appearing on behalf of the applicant, that the directions contained in the order dated 11th September, 2015 have not been fully complied with in as evident from the reasoned order dated 29th December, 2015 passed by the Additional Chief Secretary, Health and Family Welfare Department, West Bengal, Kolkata.</p> <p>Mr. S.N. Ray, learned advocate appearing on behalf of the respondents submits that after order dated 11th September, 2015 was passed directing the Principal Secretary, Health and Family Welfare Department, Government of West Bengal to take a decision on the</p>	

ORDER SHEET

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	<p>basis of the materials made available before him in respect of the prayer contained in the representation dated 17th April, 2015, reasoned order has been passed as evident from pages 26 and 27 of the contempt application and it has been communicated.</p> <p>Heard Mrs. Agarwal and Mr. Ray. It appears from the order dated 11th September, 2015 the applicant had prayed for the following :</p> <p>“An order may be passed with a direction upon the respondents to pay the remuneration of the petitioners with arrears taking into consideration the order of Finance Department dated 28.7.99, 20.5.09 and 20.5.13 and to consider the representations of the applicants and take a final decision and to communicate the same to the petitioners forthwith.”</p> <p>After hearing the learned advocates, the application, being O.A. 868 of 2015, was disposed of by passing the following order the relevant portion of which is as under :-</p> <p>“The respondent No.1 (Principal Secretary, Health and Family Welfare Department, West Bengal) is requested to</p>	

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SCN.	<p>take a decision on the basis of the materials made available before him in respect of the prayer contained in the said representation dated 17.04.2015 and thereafter communicate the same to each of the Applicants.</p> <p>He is also requested to complete the exercise as suggested by us within a period of four weeks from the date of communication of this order.”</p> <p>It is evident after direction was issued, the alleged contemnor has passed the reasoned order as already noted. Therefore, as direction contained in the order dated 11th September, 2015 have been complied with, no further order need be passed on this contempt application. The contempt application is disposed of.</p> <p>After order is passed, Mrs. Agarwal submits that leave may be granted to challenge the reasoned order. In view of such submission, leave granted to the applicant to challenge the reasoned order dated 29th December, 2015 appearing at pages 26 and 27 of the contempt application, if so advised.</p>	
SCN.	<p>(S.K. Das) MEMBER (A)</p>	<p>(Soumitra Pal) CHAIRMAN</p>