

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

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

Case No –CCP-6 of 2018 (OA-77 of 2017)

Dr. Madhurekha Saha –v- Sachindra Nath Sarkar, Superintendent, District Hospital, Nadia, The Govt. 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>21</p> <hr/> <p>25.06.2019</p>	<p>For the Applicant : Mrs. R. Ghatak, Learned Advocate.</p> <p>For the Respondents : Mr. S. Ghosh, Learned Advocate.</p> <p>The applicant has prayed for issuance of contempt rule against the contemnor Dr. Sachindra Nath Sarkar, Superintendent, District Hospital, Nadia for wilful violation of order passed by this Tribunal on July 5, 2017 in OA 77 of 2017. This order was duly communicated to the Superintendent, District Hospital, Nadia by speed post initially on July 14, 2017 and thereafter by hand on August 1, 2017 and subsequently by speed post on December 5, 2017.</p> <p>By order dated July 5, 2017, the Tribunal directed the Superintendent, District Hospital, Nadia to disburse the salary of the applicant Dr. Madhurekha Saha, erstwhile Medical Officer attached to the District Hospital, Nadia within a period of four weeks from the date of receipt of the order of the Tribunal by obtaining an undertaking from Dr. Madhurekha Saha to the effect that the amount of salary disbursed in her favour may have to be refunded by her, if the situation so warrants. Unfortunately, after lapse of almost two years from the date of communication of the order of the Tribunal, the applicant has not yet received the amount of salary. It is contended on behalf of the applicant that she is entitled to get salary for the month of June, 2014 and from August, 2014 to January, 2015.</p>	

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	<p>Mr. Ghosh, Learned Counsel representing the contemnor submits that the bill for disbursement of the salary has already been prepared and payment will be made very soon. He further submits that the salary could not be disbursed in favour of the applicant due to negligence and misconduct committed by one Lower Division Assistant in the establishment of the Superintendent of District Hospital, Nadia and all necessary steps have been taken against the defaulting clerk. Mr. Ghosh has prayed for accommodation for placing necessary papers and report of compliance of the direction of the Tribunal on the next date of hearing.</p> <p>We are not at all satisfied by the submission made by Mr. Ghosh regarding non-payment of salary to the applicant after lapse of almost two years from the date of passing of the order of the Tribunal.</p> <p>Accordingly, the contemnor Dr. Sachindra Nath Sarkar, Superintendent, District Hospital, Nadia is directed to comply with the order of the Tribunal by way of disbursement of salary of the applicant within a period of next two weeks, in default, to show cause in writing supported by an affidavit of himself as to why contempt rule will not be issued against him for wilful violation of the order passed by the Tribunal in OA 77 of 2017. The compliance report must be submitted on or before July 11, 2019, in default show cause must be submitted by the contemnor supported by an affidavit as to why contempt rule will not be issued against him on</p>	

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