

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

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

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

Case No **CCP-64 of 2018 (OA – 530 of 2017)****Subhra Mahato –Vs- Mr. Rajib Banerjee, Secretary, Deptt. of Irrigation and Waterways, Govt. of W.B.& Others**

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 style="text-align: center;"><u>6</u> 23.12.2019</p>	<p><i>For the Applicant : Mr. M. Mondal Advocate</i></p> <p><i>For the Contemnor/ O.P.(s): Mr. M.N. Roy, Advocate.</i></p> <p><i>The instant application has been filed being aggrieved with the non-compliance of the order dated 12.07.2017 passed in O.A. No. – 513/2017 whereby this Tribunal had directed the following :</i></p> <p><i>“The Tribunal now directs that the Secretary of Irrigation & Waterways Department, Government of West Bengal will take a decision in respect of the pending prayer for Compassionate Appointment of the Applicant after giving an opportunity of hearing to the Applicant and thereafter to communicate the said decision taken by him to the Applicant forthwith. The Order passed by the Tribunal must be complied with within a period of 4 (Four) weeks from the date of communication of this Order.”</i></p> <p><i>Today the counsel appearing on behalf of Joint Secretary, Govt. of West Bengal, Irrigation and Waterways</i></p>	

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	<p><i>Department has filed one compliance report and has stated that during the pendency of the Original Application, the erstwhile department was bifurcated to Water Resources Investigation & Development Department and Irrigation & Waterways Department and the deceased employee was actually under the Water Resources Investigation & Development Department. Therefore, the Secretary to the Irrigation & Waterways Department has no role to consider the case of the applicant. However, in compliance with our order they have already forwarded the case of the applicant to the Water Resources Investigation and Development Department for consideration of her case. Therefore, they have submitted that the Water Resources Investigation & Development Department is the competent authority to consider the case of the applicant. In view of the above, the counsel for the applicant has prayed for leave to add Secretary to the Water Resources Investigation & Development Department as party contemnor No. 1 in this case. Leave is granted.</i></p> <p><i>The counsel for the applicant has directed to serve copy of this contempt petition along with this order to the Secretary to the Water Resources Investigation & Development Department is directed to comply with the</i></p>	

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A.K.P.	<p><i>order within a period of six (6) weeks and the Respondent No. 1 is also directed to take some initiative over the said issue.</i></p> <p><i>Registry is directed to correct the cause title.</i></p> <p><i>Let the matter be listed on 06.03.2020.</i></p> <p>P. RAMESH KUMAR MEMBER (A)</p> <p>URMITA DATTA (SEN) MEMBER (J)</p>	