ORDER SHEET
West Bengal Administrative Tribunal

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

Case No. *OA – 387 of 2017*

Jayanta Kumar Biswas & 2 Ors.   Versus   *The State of West Bengal & Ors.*

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05/10/2018
	For the Applicant : Mrs. S.Mitra, Ld. Advocate.
	
	For the State Respondent : Mr. S. Ghosh, Ld. Advocate.
	
	    The petitioners have prayed for implementation of the Judgment and Order passed by this Tribunal on August 14, 2014 in OA-609 of 2012.
	
	    The contention of the petitioners is that the petitioners approached the Tribunal for fixation of additional remuneration for discharging additional and higher responsibilities as Tutor-Physiotherapist. By Judgment and Order dated August 14, 2014 passed in OA-609 of 2012 this Tribunal gave direction to the concerned respondents to determine the quantum of additional remuneration to be paid to the petitioners for discharging additional and higher responsibilities from the date of their assignment of the said responsibility, subject to the condition that the petitioners have necessary qualification to discharge their functions as Tutor-Physiotherapist within a period of 3 (three) months from the date of communication of the order. The Judgment and Order of the Tribunal was challenged by the state	

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	respondents before the Hon'ble High Court by filing WPST No. 288 of 2014 on February 06, 2015. The Division Bench of the Hon'ble High Court disposed of WPST No. 288 of 2014 by affirming the Judgment and Order passed by the Tribunal. The grievance of the applicants is that the state respondents have not complied with the direction given by the Tribunal in spite of upholding the Judgment and order of the Tribunal by the Hon'ble High Court.	
	Mrs. Mitra, Learned Counsel for the applicants submits that the applicants have moved this Original Application for implementation of the direction of the Tribunal as the contempt application would have been barred by limitation. We have heard Mr. Ghosh, Learned Counsel representing the state respondents submits that the Finance Department should be impleaded as respondents in the present application. Having heard Learned Counsel representing both parties and on consideration of the materials on record we direct the respondent no. 2, Additional Chief Secretary to the Government of West Bengal, Department of Health & Family Welfare for implementation of the Judgment and Order passed by this Tribunal on August 14, 2014 in OA-609 of 2012 within a period of 16 (sixteen) weeks from the	

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	date of communication of the order.	
	The applicants are directed to serve copy of this order along with copy of the original application and copy of the Judgment and Order dated August 14, 2014 passed in OA-609 of 2012 on the respondent no. 4 by Speed Post within a period of 2 (two) weeks from this date. With the above direction the original application is **disposed of.** *Let a* **Plain Copy** *of the order be supplied to both parties.*	
	S. K. DAS **R. K. BAG** **MEMBER(A)** **MEMBER(J)**	
Csm		

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