

ORDER SHEET

WEST BENGAL ADMINISTRATIVE TRIBUNAL

Present-

**The Hon'ble JUSTICE RANJIT KUMAR BAG
& The Hon'ble DR. SUBESH KUMAR DAS**

Case No – OA 564 OF 2018

Dibya Gopal Ghatak Vs **The State 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 style="text-align: center;">01</p> <hr/> <p>30.08.2018</p>	<p><i>For the Applicant : Mrs. S. Mitra, Learned Advocate.</i></p> <p><i>For the State Respondents : Mr. A.L. Basu Mrs. S. Agarwal, Learned Advocates.</i></p> <p><i>The applicant has prayed for setting aside Memorandum dated April 17, 2018 passed by the Respondent no. 2, Commissioner of School Education, West Bengal in compliance with the order passed by the Hon'ble High Court at Calcutta in WP 25526(W) of 2015.</i></p> <p><i>The backdrop of filing the present application is as follows : One Md. Altab Hossain filed writ application before the Hon'ble High Court at Calcutta being WP No. 25526(W) of 2015 praying for disbursement of payment by the state respondents of the said writ petition. On August 03, 2017 Learned Single Judge of Hon'ble High Court directed the Commissioner of School Education to be present before the Court with cheque for payment to the petitioner of the writ petition along with interest calculated @ 18% from November 08, 2000 till the date of actual payment and gave liberty to the State to realise interest component from the salaries of the officers</i></p>	

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involved in the delay in making payment. In pursuance of the liberty given by the Hon'ble High Court the respondent no. 2 conducted an enquiry, gave the affected persons an opportunity of hearing and issued office Memorandum dated July 17, 2018 by fixing responsibility of the employees for making delay in payment and by fixing proportionate amount to be paid by the employees including the applicant. Since the respondent no. 2 has issued office Memorandum dated April 17, 2018 in pursuance of the order passed by the Hon'ble High Court, we cannot persuade ourselves to intervene in the Memorandum challenged in the present original application. As a result, the original application is dismissed.

(S.K.DAS)
Member (A)

(R.K.BAG)
Member (J)

H.S

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