

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

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

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

Case No – OA-1062 of 2014.Sandip Modak Vs The State of West Bengal & 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>15 ----- 17-09-2018</p>	<p>For the Applicant : None.</p> <p>For the State Respondents : Mr. S. Bhattacharya, Departmental Representative.</p> <p>None for the applicant. The instant application has been filed praying for following reliefs :-</p> <p><b>(A) Appropriate order be passed directing the respondent authorities to comply with the judgment and order dated April 13, 1994 passed in C.O. 16817(w) of 1992 (Sandip Modak -vs- The State of West Bengal &amp; Ors);</b></p> <p><b>(B) Appropriate order be passed directing the respondent authorities to grant compassionate appointment in favour of the applicant;</b></p> <p><b>(C) Any such other or further</b></p>	

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	<p style="text-align: center;"><b>order or orders, direction or directions as Your Lordships may deem fit and proper.</b></p> <p>Since it is the case of 2014 therefore we are disposing of the OA on the basis of the available record. It is noted that the applicant earlier approached the Hon'ble High Court in C.O. No. 16817(w) of 1992 (Sandip Modak -vs- The State of West Bengal &amp; Ors.) challenging the Memo No. 116/5117/B-I/92 dated 13<sup>th</sup> August, 1992 of the L &amp;LR Department, Murshidabad. The Single Bench of the Hon'ble High Court in his order dated 18-04-1994 had directed the respondents to consider the case of the applicant and grant him appointment within a period of 6(six) weeks and thereafter he filed one contempt petition before the Hon'ble High Court.</p> <p>The respondents have filed their reply and have stated that they have also filed one recalling petition in the Hon'ble High Court and thereafter Hon'ble High Court had recalled their</p>	

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Mihir	<p>order dated 18-04-2014</p> <p>We have heard the respondents and perused the records. It is noted that the applicant is basically asking for implementation of the order of the Hon'ble High Court dated April 18, 1994. However in our opinion, this Court has no jurisdiction/scope to implement the order of the Hon'ble High Court as there is no direction upon this Tribunal. Moreover the said order was also recalled by the Hon'ble High Court which has not been denied by the applicant.</p> <p>In view of the above, we are unable to entertain the instant application. Accordingly, the OA is dismissed with the above observations with no order as to cost.</p> <p style="text-align: center;"><b>P. RAMESH KUMAR</b> <b>MEMBER(A)</b></p> <p style="text-align: center;"><b>URMITA DATTA (SEN)</b> <b>MEMBER(J)</b></p>	

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