

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

**The Hon'ble Urmita Datta (Sen)
& The Hon'ble Dr. A. K. Chanda**

Case No – CCP-76 of 2016

Sita Dolai

Vs Secretary , Health & Family Welfare Department.

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><u>07</u> 12.03.2018</p> <p>Page /1</p>	<p>For the Contempt petitioner : Mr. Anil Kumar Chattopadhyay, Learned Advocate.</p> <p>For the Contemnor O.P. : None.</p> <p>The instant contempt application has been filed praying for implementation of order dated 12.11.2013, whereby following order has been passed :-</p> <p>“We, therefore, direct the authority to regularise the absence period and thereafter accord sanction to the admissible retiral benefit and family pension within a period of twelve weeks from communication of this order and to forward the same to the office of A.G.W.B. within that period without fail. Office of the A.G.W.B. shall issue necessary order within eight weeks after receipt of sanction order and all the connected</p>	

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Vs.**The State of West Bengal & Ors.**

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<p>07 12/03/2018</p> <p>Page /3</p>	<p>papers from the pension sanctioning authority. The application is accordingly disposed of.”</p> <p>According to the applicant, he had communicated the order on 04.12.2013 and 05.12.2013 and thereafter though the Respondents have issued one memo dated 18.08.2014 and 27.08.2014 (Annexure C & D) but till date he has not received any amount of retiral benefits. Heard the applicant and perused the record. It is noted that the instant application has been filed on 12.04.2016 and the order was passed on 12.11.2013 wherein a direction was granted to accord the sanction of retiral benefits and family pension within a period of twelve weeks and to make payment eight weeks thereafter from the date of communication of the order. Therefore, since as per the applicant, he has already communicated the order on 04.12.2013 and 05.12.2013, therefore, 5 (five) months time lapsed on May, 2014.</p> <p>Thus, the applicant has to file contempt petition by May, 2015 but the instant contempt petition</p>	

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<p style="text-align: center;">07 ----- 12/03/2018</p> <p style="text-align: center;">SC</p>	<p>has been filed in April, 2016.</p> <p>In view of the above as per Section 20 of Contempt of Court's Act, 1971, we are unable to entertain the contempt petition. Accordingly, the contempt petition is dismissed.</p> <p style="text-align: center;"> DR. A.K. CHANDA MEMBER (A) </p> <p style="text-align: center;"> URMITA DATTA (SEN) MEMBER (J) </p>	

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