

WEST BENGAL ADMINISTRATIVE TRIBUNAL

Bikash Bhavan, Salt Lake, Kolkata – 700 091.

Present-

The Hon'ble Justice Soumitra Pal, Chairman.

Case No. –CCP-43 of 2021 (OA-920 of 2019)

Md. Israil. - Versus – Mrs. Smaraki Mahapatra, I.A.S., Secretary and Land Reforms Commissioner, Land and Land Reforms and Refugee, Relief and Rehabilitation Department, Government of West Bengal & Others.

Serial No. and Date of order	For the Applicant	: Mr. M. N. Roy, Advocate.
<u>3</u> 11.05.2022.	For the Alleged Contemnor / Respondent	: Mr. G. P. Banerjee, Advocate. Ms. R. Sarkar, Mr. S. Deb Roy, Departmental Representatives.

The matter is taken up by the single Bench pursuant to the order contained in the Notification No. 118-WBAT/1E-08/2003 (Pt.-II) dated 11th February, 2022 issued in exercise of the powers conferred under section 6 (5) of the Administrative Tribunals Act, 1985.

It is submitted by Mr. M. N. Roy, learned advocate for the applicant that though the original application was allowed on 15th February, 2021 and certain directions were given, however interest at the rate of 18 per cent per annum on the superannuation benefits is yet to be paid.

Mr. G. P. Banerjee, learned advocate appearing on behalf of the alleged contemnor submits that since the alleged contemnor was under the impression that as there is no specific direction for payment of interest at the rate of 18 per cent per annum, no interest has been granted.

In my view, as the original application was 'allowed', meaning thereby the applicant should have been granted interest in the rate of 18 per cent per annum on the arrear salary bill and leave salary bill, as prayed for in the application, the stand of the alleged contemnor is not

ORDER SHEET

Form No.

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Commissioner, Land and Land Reforms and Refugee, Relief and
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proper. The alleged contemnor has taken a suo moto decision in not granting interest pursuant to the order passed on 21.03.2022 as it has neither been challenged before the appropriate forum nor an application for clarification has been filed before the Tribunal, though, I find that other part of the said order has been complied with. Therefore, the submission of alleged contemnor is not acceptable.

Let the matter appear under the heading “Admission Hearing” on 18th July, 2022.

(SOUMITRA PAL)
CHAIRMAN

S.M.