ORDER SHEET WEST BENGAL ADMINISTRATIVE TRIBUNAL

Present-

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

Case No - <u>CCP 35 OF 2018</u>

Sujit Kumar Kundu $\underline{\mathrm{Vs}}$ Mr. S. Suresh Kumar, the Principal Secretary, Labour Department, Govt. of W.B.

| 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 |
|---------------------------------------|---|---|
| 04 | For the Applicant : Mr. D.N. Roy, Learned Advocate. Mr. B. Nandy, Learned Advocate. | |
| 04 06.12.2018 | For the Contemnor OP: Mr. G.P. Banerjee, Learned Advocate. | |
| | The reasoned order passed by the contemnor is placed on | |
| | record by Mr. G.P. Banerjee, Learned Counsel representing the | |
| | contemnor. Mr. Roy, Learned Counsel representing the applicant, | |
| | submits that the financial benefits have not been given to the | |
| | applicant by the reasoned order and as such this Court can | |
| | intervene in the said reasoned order. | |
| | Having heard Learned Counsel representing both parties | |
| | and on consideration of the order passed by the Tribunal on June | |
| | 22, 2017 in OA-357 of 2017, we find that the Additional Chief | |
| | Secretary, Labour Department, Government of West Bengal was | |
| | directed to take a decision on the basis of representation made | |
| | before him by the applicant on January 18, 2017 and such | |
| | decision will have to be taken after giving the applicant an | |
| | opportunity of hearing and the decision must be communicated to | |
| | the applicant. On perusal of the reasoned order passed by the | |
| | contemnor, we find that the order of the Tribunal was complied | |
| | with by the contemnor. The legality and the validity of the | |
| | reasoned order cannot be decided by the Tribunal in the Contempt | |
| | Application, as the same will be beyond the scope of the direction | |
| | given by the Tribunal in OA-357 of 2017. | |
| | With the above observation, the contempt application | |
| | stands disposed of. | |
| | Let a plain copy of this order be supplied to both parties. | |
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| | (S.K. DAS) MEMBER(A) (R. K. BAG) MEMBER (J) | |
| Sanjib | | |

ORDER SHEET

| | Mr. |
|------------------------|---------------------------------|
| Form No. | |
| | Vs. |
| | The State of West Bengal & Ors. |
| Case No. OA xx OF 20xx | |