

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

The Hon'ble Justice Soumitra Pal (Chairman)  
& The Hon'ble Dr.A.K.Chanda (Administrative Member)

Case No. CCP – 52 OF 2018 (OA-248 OF 2017)

KIRAN CHANDRA MAJUMDAR Vs. SAMPAD RANJAN PATRA, DIRECTOR, AGRICULTURE, GOVERNMENT OF WEST BENGAL.

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>03</u> 23.07.18</p>	<p>For the Applicant : Mr.S.Bhattacharya Learned Advocate</p> <p>For the Contemnor/ Respondent : None</p> <p>This contempt application has been filed alleging non-compliance of the directions contained in the order dated 8.01.2018 passed in OA-248 of 2017 (Kiran Chandra Majumdar Vs. State of West Bengal &amp; others).</p> <p>It appears that the said Original application was disposed of by passing a reasoned order, the relevant portion of which is as under :</p> <p><i>“It appears that the representation to this effect made by him before the Director of Agriculture on 15.07.2015 and 08.11.2016 has not yet been disposed of. As such, the Tribunal is of the view that now it would be appropriate to dispose of the Application with a direction upon the Director of Agriculture, Government of West Bengal, Department of Agriculture to take a decision in respect of the representations made before him by the Applicant after giving an opportunity of hearing to him.</i></p> <p><i>Such decision must be taken by the Director of Agriculture, Government of West Bengal, Department of</i></p>	

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	<p><i>Agriculture within a period of four weeks from the date of communication of this order. Thereafter, the same will have to be intimated to the Applicant forthwith.</i></p> <p><i>The Application is accordingly disposed of".</i></p> <p>It is submitted by Mr.S.Bhattacharya, learned advocate for the applicant that after this application was filed, he has been served with a copy of "Reasoned Orders" dated 27.06.2018 passed by the Director of Agriculture &amp; Ex-officio Secretary, West Bengal. It appears that prior to passing of the reasoned order, hearing was given to the applicant and to his Learned Advocate.</p> <p>The relevant portion of the reasoned order is as under:</p> <p><i>"It may be worthy to mention here that the documents in connection with the employment on compassionate ground in respect of Sri Kiron Chandra Majumdar, S/o Late Krishna Majumdar, sent to this office vide Memo. No. 490 dtd 06/04/2010 by Deputy Director of Agriculture (Admn.), Coochbehar was not traceable at this office.</i></p>	

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	<p><i>Therefore, this office asked the Deputy Director of Agriculture (Admn.), Coochbehar to furnish the documents in connection with employment on compassionate ground in favour of the applicant vide this Directorate Memo No. 2058 dtd. 07/02/2018.</i></p> <p><i>The Deputy Director of Agriculture (Admn.), Coochbehar sent the documents in connection with employment on compassionate ground to this end vide his Memo No. 430 dtd. 16/03/2018, which have been subsequently forwarded to the Department of Agriculture along with recommendations.</i></p> <p><i>Now, the Department of Agriculture is the Administrative Department and the final authority to take a decisions in respect of giving approval for employment on compassionate. If it is decided by the administrative department to be a fit case for offering employment on compassionate ground and if the necessary approval in this regard is received from the end of the Department, then the undersigned will act accordingly and further necessary action in this regard will be taken without delay.</i></p>	

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BLR	<p style="text-align: center;"><i>Let the matter be thus disposed of at this stage with passing of this reasoned order”.</i></p> <p>It is submitted by Mr.Bhattacharya that since the applicant is in penury and as it appears from the order passed by the Director that a decision has to be taken regarding grant of approval for employment on compassionate ground and as it appears from the tenor of the order that the applicant is entitled to a job, appropriate order may be passed directing the appropriate department to take action.</p> <p>In our view, since pursuant to the directions contained in the order dated 8.01.2018, reasoned order has been passed, no further order need be passed on this contempt application. The contempt application is disposed of. As prayed for by the learned advocate for the applicant, the applicant is at liberty to pursue the matter in accordance with law.</p> <p style="text-align: center;"><b>(DR.A.K.CHANDA)</b> <b>MEMBER(A)</b></p> <p style="text-align: center;"><b>(SOUMITRA PAL)</b> <b>CHAIRMAN</b></p>	