

**ORDER SHEET**  
**West Bengal Administrative Tribunal**

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

Case No.

Versus .

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 style="text-align: center;"><u>05</u> 29/08/2018</p>	<p><b>Case No. CCP – 54 of 2018 : Dr. Moumita Das (Sarkar) Vs. Mr. Rajiva Sinha, I.A.S, the Additional Chief Secretary, Department of Health &amp; Family Welfare, Government of West Bengal &amp; Another.</b></p> <p><b>For the Contempt Petitioner :</b>     <i>Mr. S. K. Das, Learned Advocate.</i></p> <p><b>For the Contemnor OPs :</b>         <i>Mr. G. P. Banerjee, Learned Advocate.</i></p> <p><b>Case No. CCP – 55 of 2018 : Dr. Nabanita Biswas Vs. Mr. Rajiva Sinha, I.A.S, the Additional Chief Secretary, Department of Health &amp; Family Welfare, Government of West Bengal &amp; Another.</b></p> <p><b>For the Contempt Petitioner :</b>     <i>Mr. S. K. Das, Learned Advocate.</i></p> <p><b>For the Contemnor OPs :</b>         <i>Mr. G. P. Banerjee, Learned Advocate.</i></p> <p><b>Case No. CCP – 56 of 2018 : Dr. Amit Kumar Mondal Vs. Mr. Rajiva Sinha, I.A.S, the Additional Chief Secretary, Department of Health &amp; Family Welfare, Government of West Bengal &amp; Another.</b></p> <p><b>For the Contempt Petitioner :</b>     <i>Mr. S. K. Das, Learned Advocate.</i></p> <p><b>For the Contemnor OPs :</b>         <i>Mr. G. P. Banerjee, Learned Advocate.</i></p>	

**ORDER SHEET – (Continuation)**

Form No. ....

Vs

Case No

Serial No. and  
date of orderOrder of the Tribunal  
with signatureOffice action with date  
and dated signature of  
parties when necessary.

1

2

3

**Case No. CCP – 57 of 2018 : Dr. Arijit Roy & Others Vs. Mr. Rajiva Sinha, I.A.S, the Additional Chief Secretary, Department of Health & Family Welfare, Government of West Bengal & Another. .**

**For the Contempt Petitioners :** Mr. S. K. Das,  
Learned Advocate.

**For the Contemnor OPs :** Mr. G. P. Banerjee,  
Learned Advocate.

**Case No. CCP – 58 of 2018 : Durga Pada Ghosh Vs. Mr. Rajiva Sinha, I.A.S, the Additional Chief Secretary, Department of Health & Family Welfare, Government of West Bengal & Another.**

**For the Contempt Petitioner :** Mr. K. K. Roy,  
Learned Advocate.

**For the Contemnor OPs :** Mr. G. P. Banerjee,  
Learned Advocate.

**Case No. CCP – 59 of 2018 : Utpal Kumar Panda & Others Vs. Mr. Rajiva Sinha, I.A.S, the Additional Chief Secretary, Department of Health & Family Welfare, Government of West Bengal & Another.**

**For the Contempt Petitioners :** Mr. K. K. Roy,  
Learned Advocate.

**For the Contemnor OPs :** Mr. G. P. Banerjee,  
Learned Advocate.

**Case No. CCP – 60 of 2018 : Dr. Soumya Kundu & Others. Vs. Mr. Rajiva Sinha, I.A.S, the Additional Chief Secretary, Department of Health & Family Welfare, Government of West Bengal &**

## ORDER SHEET – (Continuation)

Form No.

Vs

Case No

Serial No. and  
date of orderOrder of the Tribunal  
with signatureOffice action with date  
and dated signature of  
parties when necessary.

1

2

3

**Another.****For the Contempt Petitioners :** Mr. K. K. Roy,  
Learned Advocate.**For the Contemnor OPs :** Mr. G. P. Banerjee,  
Learned Advocate.**Case No. CCP – 61 of 2018 : Dr. Asis Kumar Ghosh  
& Others Vs. Mr. Rajiva Sinha, I.A.S, the  
Additional Chief Secretary, Department of Health  
& Family Welfare, Government of West Bengal &  
Another. .****For the Contempt Petitioners :** Mr. K. K. Roy,  
Learned Advocate.**For the Contemnor OPs :** Mr. G. P. Banerjee,  
Learned Advocate.**Case No. CCP – 62 of 2018 : Mosiur Rahaman Vs.  
Mr. Rajiva Sinha, I.A.S, the Additional Chief  
Secretary, Department of Health & Family  
Welfare, Government of West Bengal & Another.****For the Contempt Petitioner :** Mr. K. K. Roy,  
Learned Advocate.**For the Contemnor OPs :** Mr. G. P. Banerjee,  
Learned Advocate.

*Affidavit of service filed on behalf of the  
applicant today is kept on record. It appears from  
the said affidavit of service that notice and copy of  
the order have already been served on the*

**ORDER SHEET – (Continuation)**

Form No. ....

Vs

Case No

Serial No. and  
date of orderOrder of the Tribunal  
with signatureOffice action with date  
and dated signature of  
parties when necessary.

1

2

3

*respondent no.1/contemnor no.1, Mr. Rajiva Sinha, Additional Chief Secretary to the Government of West Bengal, Department of Health & Family Welfare.*

*Dr. Ajay Chakraborty, the contemnor no.2 is personally present before the Tribunal. His personal presence for this day is dispensed with.*

*Mr. G. P. Banerjee, Learned Counsel representing the contemnors submits that the state respondents have already filed a Special Leave Petition before the Hon'ble Supreme Court of India against the judgment and order passed by the Division Bench of the Hon'ble High Court. He further submits that S.L.P was filed before the Hon'ble Apex Court on August 28, 2018 and reasonable time is required to move the S.L.P before the Hon'ble Supreme Court.*

*Learned Counsel representing the applicants contents that classes for Master Degree have already been started in the month of May, 2018 and the applicants are being deprived of attending classes and thereby, the applicants may face inconvenience in appearing at the final exam for not securing adequate attendance after commencement of the course.*

**ORDER SHEET – (Continuation)**

Form No. ....

Vs

Case No

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><i>Having heard the Learned Counsel representing both parties and on consideration of the fact that the Division Bench of the Hon'ble High Court passed the judgement and order in W.P.S.T no. 54 of 2018 on August 10, 2018, we are inclined to grant accommodation to the contemnors for compliance with the direction given by the Tribunal and affirmed by the Hon'ble High Court till September 12, 2018.</i></p> <p><i>List the contempt applications under the heading “<b>hearing</b>” on <b>13<sup>th</sup> September, 2018</b> at the <b>top of the list.</b></i></p> <p><i>The question of issuance of contempt rules against Mr. Rajiva Sinha, Additional Chief Secretary to the Government of West Bengal, Department of Health &amp; Family Welfare will be decided on the next date of hearing.</i></p> <p><i>Dr. Ajay Chakraborty, the contemnor no.2 will be personally present before this Bench of the Tribunal on the next date of hearing.</i></p> <p><i>Let an urgent plain copy of this order be supplied to both parties in course of this day.</i></p> <p style="text-align: center;"><b>S. K. DAS</b> <b>MEMBER(A)</b></p> <p style="text-align: center;"><b>R. K. BAG</b> <b>MEMBER(J)</b></p>	

**ORDER SHEET – (Continuation)**

Form No.

.....

Vs

.....

Case No

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

**ORDER SHEET – (Continuation)**

Form No.

.....

Vs

.....

Case No

Serial No. and  
date of order

Order of the Tribunal  
with signature

Office action with date  
and dated signature of  
parties when necessary.

1

2

3