

05.11.2024
(D/L-1)
Ct. No.4
(Naba)

W.P.S.T. 208 of 2024

Lisha Mitra
Vs.
The State of West Bengal & Ors.

Mr. Amitesh Chakraborty
... for the Petitioner.

1. Heard the learned Counsel for the petitioner.
2. The petitioner before us is claiming to be daughter of the second wife of the deceased employee who died in harness. She made a claim for benefit of compassionate appointment. Upon consideration of the claim the State Administrative Tribunal on 29.09.2023, directed the Deputy Commissioner of Police, Port Division Kolkata to consider her application for employment on compassionate ground. The Deputy Commissioner in turn passed a reasoned order in compliance of the directions of the Administrative Tribunal on 22.01.2019 (Annexure P-6).
3. The petitioner in the meantime, before service of the order passed by the Deputy Commissioner of Police, had already filed the application for initiating contempt proceedings against the Deputy Commissioner of Police vide CCP No. 02 of 2024 (OA 297 of 2023). It is the case of the petitioner

that during pendency of the contempt proceedings, the order of the Deputy Commissioner of Police passed in compliance to the order passed by the Administrative Tribunal on 29.09.2023 was served on the petitioner.

4. The above noted facts are not in dispute by the petitioner. It is in this background that we are called upon to examine whether any case is made out for initiation of contempt proceedings against the Deputy Commissioner of Police. The Tribunal by the impugned order dated 12.08.2024, has concluded that no contempt lies and has dropped the contempt proceedings, since the Deputy Commissioner of Police had passed a reasoned order on 22.01.2019 in compliance of the earlier decision of the Tribunal dated 29.09.2023.
5. The order passed by the Administrative Tribunal on 29.09.2023 required the Deputy Commissioner of Police to consider the application, which has been done by an order dated 22.01.2019. The Deputy Commissioner of Police has complied with the order of the Tribunal by passing a reasoned order on 22.01.2019, the validity of which is not the subject matter of the present proceedings, which we leave open to the petitioner to agitate if so advised.

6. We, therefore, find no reason to interfere with the order dated 12.08.2024 passed by the Tribunal in a contempt proceeding.
7. The Writ Petition is dismissed.
8. There shall be no order as to costs.
9. Urgent photostat certified copy of this order, if applied for, be supplied to the parties subject to compliance with all requisite formalities.

(Madhuresh Prasad, J.)

(Supratim Bhattacharya, J.)