

West Bengal Administrative Tribunal

Bikash Bhawan, Third Floor, Salt Lake, Kolkata-700091

ORDER

No:-118-WBAT/1E-08/2003(Pt.-II)

Date:-11.02.2022

In exercise of the powers conferred by sub-section (6) of section 5 of the Administrative Tribunals Act, 1985 and further taking into consideration of the solemn observations of the Hon'ble High Court, Calcutta in the case of Mithu Mondal and Others -versus- The State of West Bengal and Others reported in 2012 (4) Calcutta High Court Notes 320 and the Hon'ble Supreme Court of India in All India Institute of Medical Sciences -versus- Sanjeev Chaturvedi, reported in All India Reporter 2019 Supreme Court 2971 (paragraph 72) and further considering speedy disposal of the cases, I hereby authorize myself Soumitra Pal, Smt. Urmita Datta (Sen) and Shri Sayeed Ahmed Baba, Hon'ble Members (Judicial and Administrative) of the West Bengal Administrative Tribunal to function as Bench Nos.1, 2 and 3 respectively consisting of a Single Member and exercise the jurisdiction, power and authority of the Tribunal as per schedule of Classification of Cases and functioning of the Benches as published today i.e. on 11.02.2022 as per daily cause list of the West Bengal Administrative Tribunal subject to the following procedure.

- (1) That the case does not involve validity of any statutory provision or interpretation of any of the provisions of the Constitution of India.
- (2) That it is open to either party to submit to the Single Member before the matter is taken up for admission or final hearing, that it may be placed before bench of two Members. If such a request is made at the outset, the Single Member shall direct that the case be placed before an appropriate Bench of two Members. Once the case is taken up, no such request shall be entertained at any subsequent stage of the proceedings for admission or final hearing as the case may be.
- (3) No contempt or review or recalling application in respect of an order passed by the Division Bench on or before 10.02.2022 will be disposed of on merit.

It is further ordered as follows:-

- (i) The party not making the request at the first instance before the Single Bench shall not be precluded from making such a request when the case is taken up for final hearing.
- (ii) The stage of first instance would also cover cases which may be finally disposed of with the consent of parties at the admission, and / or, initial stage.
- (iii) Notwithstanding anything contained in the previous paragraphs if any, any stage of the proceedings, it appears to the Single Member that the case is of such a nature that it ought to be heard by a Bench of two members, he/she may refer it to the Chairman to transfer it to a Bench of two members.
- (iv) Matters including part heard, contempt application, review, modification relating to orders / judgment previously passed by the Bench consisting of the Two Members shall be heard by the 1st Division Bench and 2nd Division Bench according to the classifications of the cases of the Division Bench published on 11.02.2022.
- (v) The application for contempt, review, modification / clarification of order / judgment will be heard by the Bench consisting of Hon'ble Member or Members who passed the order / delivered the judgment. If one of the Hon'ble Members demits his office after passing the order / judgment, the Registry will place the application or case before the Hon'ble Chairman for assignment. If both Hon'ble Members demit, the application will be heard by the Bench having determination for which violation / review / modification is prayed for.



- (vi) Part heard matter, CAV matter will be dealt with by the Hon'ble Members who heard the same, irrespective of whether or not the Hon'ble Members have determination at present to deal with the same. If one of the Hon'ble Members who heard the matter demits, the said matter will be taken up by the Bench consisting of the Hon'ble sitting Members who heard the matter along with the new Member who is now part of the said Bench. If both the Hon'ble Members retire without disposing of part heard matter and without delivery of judgment in CAV matter, the same will be placed before the Hon'ble Chairman for assignment.
- (vii) The Miscellaneous Application for restoration of the Original Application by recalling / setting aside order of "Dismissal for Default" will be heard by the Regular Bench sitting singly which has the determination to take up the hearing of the Original Application.
- (viii) The Registrar will continue his functions in terms of Rule 28 of the West Bengal Administrative Tribunal (Procedure) Rules, 1994 and receive Reply, Rejoinder to place the cases before the Hon'ble Bench having jurisdictions.
- (ix) The Registrar is further directed to fix next date of the cases which are undated due to restricted functioning of the Tribunal during Covid-19 pandemic.
- (x) This order will remain in force until further order.

Sd/-Soumitra Pal
Chairman
West Bengal Administrative Tribunal

No:-118/1(14)-WBAT

Date:-11.02.2022

Copy forwarded for information and necessary action to:-

1. P.A. to Justice Soumitra Pal, Hon'ble Chairman, West Bengal Administrative Tribunal
2. P.A. to Smt. Urmita Datta (Sen), Hon'ble Judicial Member, West Bengal Administrative Tribunal
3. P. A. to Shri Sayeed Ahmed Baba, Hon'ble Administrative Member, West Bengal Administrative Tribunal
4. The Registrar, West Bengal Administrative Tribunal
5. The Court Officer attached to 1st Bench, West Bengal Administrative Tribunal
6. The Court Officer attached to 2nd Bench, West Bengal Administrative Tribunal
7. The Court Officer attached to 3rd Bench, West Bengal Administrative Tribunal
8. Section Officer (Filing Section / Cause List Section), West Bengal Administrative Tribunal
9. Record-in-Charge, Record Section, West Bengal Administrative Tribunal
10. President / General Secretary, Bar Association, West Bengal Administrative Tribunal
11. Notice Boards (1)
12. Notice Boards (2)
13. Shri Ashis Halder, Software Support Personnel, West Bengal Administrative Tribunal
-He is directed to upload a copy of this Notice in the Official Website of this Tribunal
14. Office Copy

By order of the Hon'ble Chairman


Registrar

West Bengal Administrative Tribunal

West Bengal Administrative Tribunal

Bikash Bhawan, Third Floor, Salt Lake, Kolkata-700091

Determination of the 1st, 2nd and 3rd Single Benches as per order dated 11.02.2022 issued by the Hon'ble Chairman, West Bengal Administrative Tribunal in exercising power and jurisdiction in terms of section 5 (6) of the Administrative Tribunals Act, 1985.

Sl. No.	Classification of Cases	Determination Code	Composition of Bench	Day and Timing
01.	Single Bench No. 1		Justice Soumitra Pal, Hon'ble Chairman	Monday (2 nd Half)
	a) Resignation, Voluntary Retirement and Reinstatement in Service	3		
	b) Residual matters not covered by this determination and Applications arising out of cases / distribution or allotment of work	4		
	c) Promotion / Promotional Benefit, Deputation / Seniority / Gradation List / N.I.S.G. / C.A.S.	5		
	d) Appointment on Compassionate Ground	8		
	e) Transfer, Posting & Release	11		
	f) Pension, Retiral Benefit, continuation of Past Services and allied matters / Death Benefit	12		
	g) Leave (grant and refusal) and Leave Salary, joining time, efficiency bar and overtime	14		
02.	Single Bench No. 2		Smt. Urmita Datta (Sen), Hon'ble Judicial Member	Tuesday (Full Day) and Thursday (Full Day).
	a) Departmental / Disciplinary Proceedings / Dismissal / Removal from Service / Suspension / Punishment / Reinstatement	2		
	b) Absorption and Regularization	6		
	c) Change and discrepancy as to Date of Birth, Age, Date of Retirement	7		
	d) Pay and Allowances – Fixation, Recovery, Grant and Refusal of them and Applications arising out of cases	9		
03.	Single Bench No. 3		Shri Sayeed Ahmed Baba, Hon'ble Administrative Member.	Monday (1 st Half)
	a) Appointment on Compassionate Ground	8		
	b) Allotment, Refusal and Eviction from Govt. accommodation, Realization of Rent and other charges	10		
	c) Pension, Retiral Benefit, continuation of Past Services and allied matters / Death Benefit	12		
	d) Matters relating to sponsoring names by Employment Exchange	13		
	e) Loans and Advances (Grant and Refusal) interest, L.T.C., Travelling Allowances and Reimbursement	15		

Note:-Functioning of the Benches may change without prior notice. Therefore, the learned advocates, litigants appearing in person are directed to follow the Cause List of the WBAT.

Date : 11.02.2022

By order of the Hon'ble Chairman


Registrar

West Bengal Administrative Tribunal

West Bengal Administrative Tribunal

Bikash Bhawan, Third Floor, Salt Lake, Kolkata-700091

Determination of the 1st and 2nd Division Benches as per order dated 11.02.2022

Sl. No.	Classification of Cases	Determination Code	Composition of Bench	Day and Timing
01.	Division Bench No. 1		Justice Soumitra Pal, Hon'ble Chairman and Shri Sayeed Ahmed Baba, Hon'ble Administrative Member.	Wednesday (2 nd Half) and Friday (2 nd Half).
	a) Recruitment, Appointment	1		
	b) Resignation, Voluntary Retirement and Reinstatement in Service	3		
	c) Residual matters not covered by this determination and Applications arising out of cases / distribution or allotment of work	4		
	d) Promotion / Promotional Benefit, Deputation / Seniority / Gradation List / N.I.S.G. / C.A.S.	5		
	e) Appointment on Compassionate Ground	8		
	f) Allotment, Refusal and Eviction from Govt. accommodation, Realization of Rent and other charges	10		
	g) Transfer, Posting & Release	11		
	h) Pension, Retiral Benefit, continuation of Past Services and allied matters / Death Benefit	12		
	i) Leave (grant and refusal) and Leave Salary, joining time, efficiency bar and overtime	14		
	j) Loans and Advances (Grant and Refusal) interest, L.T.C., Travelling Allowances and Reimbursement	15		
02.	Division Bench No. 2		Smt. Urmita Datta (Sen), Hon'ble Judicial Member and Shri Sayeed Ahmed Baba, Hon'ble Administrative Member	Wednesday (1 st Half)
	a) Departmental / Disciplinary Proceedings / Dismissal / Removal from Service / Suspension / Punishment / Reinstatement	2		
	b) Absorption and Regularization	6		
	c) Change and discrepancy as to Date of Birth, Age, Date of Retirement	7		
	d) Appointment on Compassionate Ground	8		
	e) Pay and Allowances – Fixation, Recovery, Grant and Refusal of them and Applications arising out of cases	9		
	f) Pension, Retiral Benefit, continuation of Past Services and allied matters / Death Benefit	12		
	g) Matters relating to sponsoring names by Employment Exchange	13		

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Date : 11.02.2022

By order of the Hon'ble Chairman


Registrar