

WEST BENGAL ADMINISTRATIVE TRIBUNAL
Bikash Bhawan, 3rd Floor, Salt Lake, Kolkata-700091

ORDER

No:- 638- WBAT / 2J-15 / 2016 (Pt.-II)

Date:- 23.11.2022

In superseding all previous orders and notifications, 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 order of appointment of officiating Chairperson of the Tribunal dated 12.09.2022 and functioning of the Tribunal with the existing infrastructure, I do hereby authorize myself Sayeed Ahmed Baba as an officiating Chairperson and Administrative Member of the West Bengal Administrative Tribunal to function as Bench No. 3 consisting of a Single Member and exercise the jurisdiction, power and authority of the Tribunal in dealing with all types of cases irrespective of classification and determination code as per daily cause list subject to the following restrictions.

(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 of 3rd Bench before the matter is taken up at the first instance after appearance of both contesting parties that it may be placed before the Bench of two Members as and when the same will be available in future. If such a request is made at the very outset, the Single Member (3rd Single Bench) shall direct to place the said case record before the Division Bench as and when the same will be available in future irrespective of classification of cases. Once the case is taken up by the 3rd Single Bench, no such request shall be entertained at any subsequent stage of the proceedings.

It is further ordered as follows :-

(i) The stage of first instance would also cover case which may be finally disposed of with the consent of the contesting parties at the admission, and/or, initial stage.

(ii) Notwithstanding anything contained in the previous or subsequent paragraphs, at any stage of the proceedings, if it appears to the 3rd Single Bench (the Administrative Member) that the case irrespective of its nature ought to be heard by a Bench of two members, he will refer it to the Division Bench as and when the same will be available in future without assigning any reason.

(iii) Henceforth all applications including part-heard, contempt, review, recalling, modification relating to orders / judgements previously passed by the Division or Single Bench, and or, any miscellaneous application for restoration of the Original Application by recalling / setting aside an order of "Dismissal for Default", and or, any other interlocutory applications will be heard by the 3rd Single Bench irrespective of determination or classification of cases.

(iv) The Registrar will continue his function in terms of Rule 28 of the West Bengal Administrative Tribunal (Procedure) Rules, 1994 and issue notice upon the respondents / opposite parties immediately after filing an application irrespective of its nature and prayer, receive Reply, Rejoinder to make the cases ready for hearing. After completion of the service of notice upon the respondents / opposite parties, the cases will be placed for "Admission Hearing" or consideration of interim relief as the case may be before the 3rd Single Bench having jurisdiction over all types of cases. Endeavour should be made to settle the dispute amicably, and or, to explore the scope alternative dispute resolution mechanism and where the parties agree to settlement, the relevant case record should be placed before the Lok Adalat. The cases which are ready for hearing will be listed before the 3rd Single Bench for disposal having jurisdiction.

(v) The Registrar is further directed to fix next date of the cases which are undated due to various reasons.

(vi) This order will remain in force until **further order**.

Sd/- Sayeed Ahmed Baba

OFFICIATING CHAIRPERSON

West Bengal Administrative Tribunal

No:- 638 -WBAT/1E-08/2003(Pt.-II)

Date:- 23.11.2022

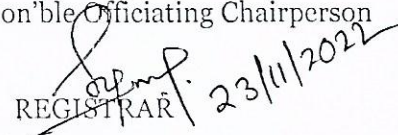
Copy forwarded for information and necessary action to :

1. P. A. to Sayeed Ahmed Baba, Hon'ble Administrative Member, West Bengal Administrative

Tribunal

2. The Court Officer attached to 2nd Bench, West Bengal Administrative Tribunal
3. The Court Officer attached to 3rd Bench, West Bengal Administrative Tribunal.
4. Section Officer (Filing Section) / Cause List Section, West Bengal Administrative Tribunal
5. Record-in-Charge, Record Section, West Bengal Administrative Tribunal
6. President / General Secretary, Bar Association, West Bengal Administrative Tribunal
7. Notice Board (1)
8. Notice Board (2)
9. **Shri Asish Halder, Software Support Personnel**, West Bengal Administrative Tribunal - He is directed to upload this order in the Official Website of the Tribunal
10. Office Copy

By order of the Hon'ble Officiating Chairperson


REGISTRAR

23/11/2022

West Bengal Administrative Tribunal

West Bengal Administrative Tribunal

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

The 3rd Single Bench will take up all the cases irrespective of any determination as per order dated 23.11.2022 issued by the Hon'ble Officiating Chairperson, 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. 3			
	a) Recruitment, Appointment	1	Shri Sayeed Ahmed Baba, Hon'ble Officiating Chairperson And Administrative Member W.B.A.T.	Monday to Friday at Court Room No.1
	b) Departmental / Disciplinary Proceedings / Dismissal / Removal from Service / Suspension / Punishment / Reinstatement	2		
	c) Resignation, Voluntary Retirement and Reinstatement in Service	3		
	d) Allotment, Refusal and Eviction from Govt. accommodation, Realization of Rent and other charges	4		
	e) Promotion / Promotional Benefit, Deputation / Seniority / Gradation List / N.I.S.G. / C.A.S.	5		
	f) Absorption and Regularization	6		
	g) Change and discrepancy as to Date of Birth, Age, Date of Retirement	7		
	h) Appointment on Compassionate Ground	8		
	i) Pay and Allowances – Fixation, Recovery, Grant and Refusal of them and Applications arising out of cases	9		
	j) Residual matters not covered by this determination and Applications arising out of cases / distribution or allotment of work	10		
	k) Transfer, Posting & Release	11		
	l) Pension, Retiral Benefit, continuation of Past Services and allied matters / Death Benefit	12		
	m) Matters relating to sponsoring names by Employment Exchange	13		
	n) Leave (grant and refusal) and Leave Salary, joining time, efficiency bar and overtime	14		
	o) Loans and Advances (Grant and Refusal) interest, L.T.C., Travelling Allowances and Reimbursement	15		
	p) All applications or Misc. Applications including part-heard, contempt, review, recalling, modification relating to orders / judgements previously passed by any Division or Single Bench.			

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

Date : 23.11.2022

By order of the Hon'ble Officiating Chairperson

Registrar 23/11/2022
West Bengal Administrative Tribunal