ORDER SHEET
WEST BENGAL ADMINISTRATIVE TRIBUNAL

Present-

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

Case No – **OA 1154 OF 2016**

Malay Mukhopadhyay & Another Vs The State of West Bengal & Ors.

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
03 14.11.2018	For the Applicants : Sardar Amjad Ali, Learned Senior Advocate, Mr. Prabir Chatterjee, Mr. M.A. Sardar, Mr. A. Chakraborty, Learned Advocates. For the Respondents : Mr. Apurba Lal Basu, Mr. Goutam Pathak Banerjee, Mr. Biswa Priyo Roy, Learned Advocates. For the Respondent No. 2A : Mr. Firdous Samim, Learned Advocate. . Mr. Firdous Samim, Learned Counsel who represented the respondent No. 2A before the Hon'ble High Court, contends that the said respondent No. 2A needs to be incorporated as the respondent in the original application by way of amendment of Cause Title of the said application. Mr. Samim has not filed any Vakalatnama for representing the added respondent No. 2A. Mr. Amjad Ali, Learned Senior Counsel representing the applicant has produced certified copy of the judgment passed by the Hon'ble High Court in WPST No. 45 of 2017, which is kept on record. It appears from the said certified copy that one Swapan Kumar Dey is impleaded as respondent No. 2A in the writ application filed before the Hon'ble High Court. Mr. Ali submits that the applicant has no objection for impleading the added respondent in the original application by way of	

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amendment of Cause Title of the said application. Mr. Basu, Learned Counsel representing the state respondents, submits that the added respondent should file formal application for impleading as respondent in the original application and copy of the same must be served on the state respondents, so that the state respondents may get the opportunity to make appropriate submission before the Bench.

Having heard Learned Counsel representing all the parties and on consideration of the fact that Mr. Swapan Kumar Dey was impleaded as respondent No. 2A in the writ application filed by the applicant before the Hon'ble High Court, we are of the view that Mr. Swapan Kumar Dey need to be impleaded as added respondent in the original application. However, the particulars of Mr. Swapan Kumar Dey need to be supplied before the Tribunal by filing one formal application and Mr. Samim who is inclined to represent the said respondent must file the Vakalatnama before the Tribunal. Accordingly, liberty is given for filing formal application along with Vakalatnama for impleading Mr. Swapan Kumar Dey as added respondent in the original application by tomorrow.

Before commencement of hearing, Mr. Basu, Learned Counsel submits on instruction from his client that one Review Application is filed by the state respondents before the Hon'ble High Court for extension of the time schedule fixed by the

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Hon'ble High Court for exchange of reply and rejoinder in the judgment dated August 31, 2018 passed in WPST No. 45 of 2017, but the number and other particulars of the Review Application have not been furnished before us. Mr. Ali submits that copy of the Review Application has not yet been served on the client of Mr. Ali and he is totally in the dark about the Review Application till date. Since we are duty bound to follow the direction given by the Hon'ble High Court for expeditious hearing of the matter, we are inclined to take up the hearing without waiting for the result of the Review Application, if any, filed by the state respondents before the Hon'ble High Court.

Heard in part.

List the matter under the heading **"Further Hearing" at 2:30 p.m.** on **November 15, 2018**.

(S.K. DAS)   (R. K. BAG)
 MEMBER(A)   MEMBER (J)

Sanjib