

ORDER SHEET**WEST BENGAL ADMINISTRATIVE TRIBUNAL****Present-**

The Hon'ble Justice Soumitra Pal (Chairman)
& The Hon'ble Mr. P. Ramesh Kumar (Administrative Member)

Case No – OA 239 OF 2018

SWAPAN ROY & 9 ORS. 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
<p style="text-align: center;">7</p> <hr/> <p>24.07.2019</p>	<p>For the Applicant : Mr. G.P. Banerjee, Advocate</p> <p>For the Respondents: Mr. R.A. Chowdhury, Advocate</p> <p style="text-align: center;">Though the matter has appeared under the heading “Reply, Rejoinder and Objection”, by consent of Mr. G.P. Banerjee, learned advocate for the applicant and Mr. R.A. Chowdhury, learned advocate for the respondents, the matter is taken up for hearing.</p> <p style="text-align: center;">In this application, the applicants, - stated to be families affected by the land acquired by the Government of West Bengal for development projects, including irrigation project such as Teesta Barrage Project on or after 17th October, 1977, - have prayed for a direction upon the respondents to provide employment as members of land loser family in terms of decision of the Government of West Bengal particularly in view of the memo dated 7th May, 1983 issued by the Deputy Secretary to the Government of West Bengal.</p>	

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	<p>Mr. Chowdhury submits that the issue is covered by the judgement passed on 26th June, 2019 in O.A. 1050 of 2017: Shambhu Roy & Ors. vs. The State of West Bengal & Ors. and in O.A. 1051 of 2017 : Bidhan Chandra Roy & Ors. vs. The State of West Bengal & Ors. It is submitted that in the order passed in Shambhu Roy (Supra) and Bidhan Chandra Roy (Supra) reliance has been placed on the judgement dated 29th August, 2017 passed in O.A. 376 of 2014 : Srinanda Baishnab & 22 Others Vs. The State of West Bengal and Others. From the said judgement the State had preferred a writ petition before the Hon'ble High Court being W.P.S.T. No. 151 of 2017, which was disposed of on 16th July, 2018 by upholding the claim of the State. From the judgement dated 16th July, 2018 a Special Leave Application was preferred by the original applicants before the Hon'ble Supreme Court which was dismissed. Submission is that subsequently a review application was filed by the applicants being RVW 72 of 2019 with W.P.S.T. No. 151 of 2017 which was dismissed on 12th July, 2019. Though the issue remains same, the only factual difference is in the matters already decided therein challenge was made to the order passed by the State respondents rejecting the claim of the applicants and in the case in hand no order has been passed.</p> <p>Heard Mr. Banerjee, and Mr. Chowdhury.</p>	

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SCN.	<p>Since admittedly the issue stands covered by the judgements of this Tribunal delivered on 26th June, 2019 in Shambhu Roy & Ors. (Supra) and Bidhan Chandra Roy & Ors.(Supra), no order is passed on this application. The application is disposed of.</p> <p>(P. Ramesh Kumar) MEMBER (A)</p> <p>(Soumitra Pal) CHAIRMAN</p>	