

**ORDER SHEET**

**WEST BENGAL ADMINISTRATIVE TRIBUNAL**

**Present-**

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

**Case No – OA 858 OF 2019**

Prosenjit Das 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
01 07.11.2019	<p>For the Applicant : Mr. A. Lahiri, Mr. S.K. Mondal, Learned Advocates.</p> <p>For the Respondent : None.</p> <p>Affidavit of service filed on behalf of the applicant is kept on record.</p> <p>Mr. Lahiri, Learned Counsel for the applicant, contends that the applicant has been residing in the 2<sup>nd</sup> Floor of MSVP Office of Calcutta National Medical College &amp; Hospital as Facility Manager, and that the applicant was asked to vacate the accommodation by notice dated June 7, 2019 issued by the respondent no. 5 within a period of 3 (three) months from the date of receiving the notice, though the said respondent no. 5 has mentioned in the notice that the applicant will be allotted quarters available within the jurisdiction of the said respondent no. 5. He further submits that no quarters has yet been allotted in favour of the applicant in spite of expressing willingness on his part to get the accommodation and that the period of three months for vacating the accommodation has already expired. Mr. Lahiri has prayed for an interim order so that the applicant is protected from eviction without allotment of quarters as mentioned in the notice dated June 7, 2019.</p> <p>On our query, Mr. Lahiri submits that the applicant is still</p>	

**ORDER SHEET**

Prosenjit Das

Form No. ....

**Vs.**

**The State of West Bengal & Ors.**

Case No. **OA 858 OF 2019** .....

residing in the accommodation in the 2<sup>nd</sup> Floor of MSVP Office of Calcutta National Medical College & Hospital though the notice period has already expired. None appears on behalf of the state respondents. The copy of letter of allotment for occupying accommodation in the 2<sup>nd</sup> Floor of MSVP Office of Calcutta National Medical College & Hospital by the applicant has not been placed before us and as such we are not in a position to decide whether the applicant has been occupying the accommodation in an authorised manner.

Under the above circumstances, we are not in a position to pass an interim order till production of the copy of letter of allotment by the applicant. Mr. Lahiri undertakes to produce the copy of allotment letter on the next of hearing. The present Bench may not function before November 15, 2019 due to lack of quorum. We hope and trust that the state respondents will not take any action till November 15, 2019.

List the matter under the heading **“Admission Hearing”** on **November 15, 2019**.

The applicant is directed to serve copy of this order along with copy of the original application on all the respondents by speed post on Monday positively and file an affidavit of service in this regard on the next date of hearing.

Let a plain copy of this order be supplied to the applicant.

( S.K. DAS )  
MEMBER(A)

( R. K. BAG )  
MEMBER (J)

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