

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

The Hon'ble Mrs. Urmita Datta (Sen)  
& The Hon'ble Dr. Anup Kumar Chanda.

Case No – OA-395 of 2017

**Chheodorjee Sherpa. –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;"><u>04</u> 19.03.2018</p>	<p><b>For the Applicant : Mr. Prajnadeepta Roy, Advocate.</b></p> <p><b>For the State Respondent : Mr. Soumendra Narayan Ray, Advocate.</b></p> <p><b>For the Respondent No.-03. : Mr. Biswarup Nandy, (Gorkhaland Territorial Administration) Advocate.</b></p> <p>The instant application has been filed challenging the impugned order of compulsory retirement dated 11.03.2016. According to the applicant, he was appointed under Directorate of Cinchona &amp; Other Medicinal Plants, West Bengal. However, his compulsory retirement order has been issued though by the Directorate of Cinchona &amp; Other Medicinal Plants, West Bengal but under the Administrative Authority of Gorkhaland Territorial Administration. According to the applicant, he is a State Government employee. Therefore, Gorkhaland Territorial Administration has no authority to pass an order of compulsory retirement. On the other hand, the counsel Mr. Biswarup Nandy, advocate for the Gorkhaland Territorial Administration has submitted that he will present Gorkhaland Territorial Administration and</p>	

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Sourav	<p>has undertaken to file Vakalatnama within one week. He has further submitted that since the order has been passed by the Gorkhaland Territorial Administration, this Tribunal has no territorial jurisdiction over the Gorkhaland Territorial Administration.</p> <p>Mr. Soumendra Narayan Ray is appearing for the State of West Bengal has prayed for some time to make submission on the point of jurisdiction.</p> <p>Heard the parties.</p> <p>In view of the above, all the counsels for all the parties are directed to satisfy the court on the point of jurisdiction first on the next date.</p> <p>Respondents are directed to file reply/to take instruction within four weeks on the point of jurisdiction.</p> <p>The matter will appear in the list on <b>23.04.2018</b> for Admission Hearing.</p> <p style="text-align: center;"><b>DR. A. K. CHANDA</b> MEMBER (A)</p> <p style="text-align: center;"><b>URMITA DATTA (SEN)</b> MEMBER (J)</p>	