

ORDER SHEET

WEST BENGAL ADMINISTRATIVE TRIBUNAL

Bikash Bhavan, Salt Lake, Kolkata – 700 091.

Present-

THE HON'BLE SAYEED AHMED BABA, OFFICIATING CHAIRPERSON AND ADMINISTRATIVE MEMBER,

Case No. – CCP 43 OF 2023 (OA 685 OF 2022)

KAMAL HOWLADER - Vs - DR. P. ULAGNATHAN, THE SECRETARY, DEPARTMENT OF PANCHAYAT & RURAL DEVELOPMENT, GOVERNMENT OF WEST BENGAL & OTHERS.

Serial No. and
Date of order

02
28.07.2023

For the Applicant : Mr.Goutam Pathak Banerjee
Ms.Aishwarya Pathak Banerjee
Advocates

For the Alleged Contemnor / : Mr.Sankha Ghosh
Opposite Party Advocate

The matter is taken up by the Single Bench pursuant to the order contained in the Notification No. 638-WBAT/2J-15/2016 (Pt.-II) dated 23rd November, 2022 issued in exercise of the powers conferred under Section 5 (6) of the Administrative Tribunals Act, 1985.

On consent of the learned counsels for the contesting parties, the case is taken up for consideration sitting singly.

In compliance of the Tribunal's order dated 24.11.2022, Mr.Ghosh, learned counsel for the alleged contemnor / opposite party files a copy of the reasoned order dated 28.04.2023 passed by the respondent authority. Let this be kept in the record. Copy has been served upon Mr.G.P.Banerjee, learned counsel for the applicant.

After considering the reasoned order, the Tribunal is of the view that since it is the matter relating to promotion and the views of the Public Service commission is necessary as opined by the respondent, let the respondent seek the advise of the Commission. Further, since the Commission's advise will be necessary and will be an integral part of the administrative decision regarding promotion of the applicant, let Secretary of the Public Service Commission be added as Contemnor / Opposite party in this application.

Let a copy of the amended application along with a copy of this

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Form No.

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Vs.
THE STATE OF WEST BENGAL & OTHERS.

order be served upon the Secretary, Public Service Commission and affidavit of service be affirmed and filed on the next date of hearing.

The matter is admitted. Let the matter appear under the heading 'Hearing' on 10th January, 2024.

(SAYEED AHMED BABA)
OFFICIATING CHAIRPERSON AND MEMBER (A)

BLR