

ORDER SHEET

WEST BENGAL ADMINISTRATIVE TRIBUNAL

Bikash Bhavan, Salt Lake, Kolkata – 700 091.

Present-

The Hon'ble Sayeed Ahmed Baba, Officiating Chairperson & Member (A)

Case No. – CCP 6 of 2022 [OA-87 of 2016]

Nemai Chandra Saha -- VERSUS – Dr. Manoj Pant, Pr. Secy., Finance Deptt.

Serial No. and Date of order	For the Applicant	: Mrs. S. Mitra, Ld. Advocate.
	For the Contemnor/OP	: Mr. S.K. Mondal, Ld. Advocate.
<u>14</u> 04.09.2024	For the Finance Deptt.	: Mr. M.N. Roy, Ld. 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.

In terms of a direction of this Tribunal in OA 87 of 2016 passed on 10.02.2021, Mr. Roy refers to the reasoned order passed by the Principal Secretary, Department of Finance dated 03.12.2021. By this reasoned order, Mr. Roy submits that the direction has been complied. This is not agreed by Mrs. Mitra who refers to para 20 of the judgement of this Tribunal in OA-879 of 2011 passed on 27.11.2013. Her contention is that though the Finance Department had passed the reasoned order but it failed to consider the substantive part of the judgment of this Tribunal. Since consideration of this matter will involve interpretation of various points of law as well the judgment of the Tribunal, learned counsels representing all the sides submit that it would be appropriate if this matter is placed before and heard by a Bench comprising two Members (Judicial and Administrative).

In view of their submissions, let this matter be placed before a Bench comprising two Members (Judicial and Administrative) under the heading “**Hearing**” on **08.04.2025** with liberty to mention.

CSM/SS

SAYEED AHMED BABA
Officiating Chairperson & Member (A)