

**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. MA – 106 of 2022 (CCP – 148 of 2013)**

**Bishnu Barman & Another - VERSUS - THE STATE OF WEST BENGAL & ORS.**

Serial No. For the Applicants : Mr. K. Alam,  
and Advocate  
Date of order  
5  
08.02.2023 For the Respondents : Mr. M.N. Roy,  
Advocate

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

In this application, the prayer is for recalling of the order dated 29.06.2022 in CCP No. 148 of 2013, in which the contempt proceedings were heard and disposed of. Submission of Mr. Alam is that since the Hon'ble High Court had set aside the Tribunal's order dated 16.08.2022 passed in O.A. No. 287 of 2010, therefore, the Tribunal's order dated 29.06.2022 is infructuous and thus need to be recalled and the contempt proceedings be heard afresh.

In my opinion, this matter relates to appointment and was all along heard by a Bench comprising two members (Judicial and Administrative) and therefore, it should be heard by such a Bench. Mr. Roy agrees that since this matter was dismissed earlier by a Division Bench, therefore, recalling that order by a single Bench may not be appropriate.

In view of the above facts, let this matter be placed before a Bench comprising two members (Judicial and Administrative) on 01.08.2023 under the heading 'Admission Hearing' with liberty to mention upon notice.

**SAYEED AHMED BABA  
OFFICIATING CHAIRPERSON & MEMBER(A)**

A.K.P