

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. –MA 110 of 2022 (OA 33 of 2020)

Krishna Gopal Biswas and Others. - Versus - The State of West Bengal & Others.

Serial No. and Date of order	For the Applicant	: Mr. D. Nayak, Advocate.
<u>05</u> 20.01.2023.	For the State Respondents	: None.

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 counsel, the case is taken up for consideration sitting singly.

This application is for modification of the original order in OA-33 of 2020 in which an order was passed by a Bench comprising of two Members (Judicial and Administrative) on 24.12.2021. The said order was subsequently complied by the respondents and the contempt proceeding (CCP-89 of 2022) was dropped.

However, today in the submission of the learned advocate for the applicant, this application is for modification of the order to the effect that the learned advocate for the applicant had not stated that he is not pressing prayer 'a'. His prayer is for modification to this effect that the prayer 'a' in the OA-33 of 2020 was a valid prayer and the learned advocate for the applicant had submitted in support of it.

After perusing the records, it is clear that in the order passed by the Tribunal on 24.12.2021, it has been clearly stated that the applicant had not pressed for prayer 'a'. It is also clear that the respondents had complied with the order by passing a reasoned order and the application was disposed of.

Hence, in my opinion, at this stage, it is too late to modify the order of the Tribunal which was passed by a Bench of two Members,

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hence, the Miscellaneous Application praying for modification of the order in OA-33 of 2020 is not allowed.

The matter is disposed of.

(SAYEED AHMED BABA)
Officiating Chairperson and Member (A)

CSM/SM