

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 18 of 2023 [OA 364 of 2022]

Atri Kar -- **VERSUS** – The State of West Bengal & Ors.

Serial No. and Date of order	For the Applicant	: Mr. A. Mitra, Ld. Advocate.
	For the State respondent	: Mr. G.P. Banerjee, Ld. Advocate.
<u>01</u> 31.03.2023	For the PSC, WB	: Mr. S. Bhattacharjee, Ld. Advocate.
	For the Respondent No. 8	: 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 counsels for the contesting parties, the case is taken up for consideration sitting singly.

Affidavit of service filed be kept on record.

Mrs. S. Das, learned counsel appearing on behalf Mr. S.N. Ray, learned counsel for the respondent no. 8.

The prayer in this application is for an interim order to stay the selection process in terms of Advertisement No. 01/2023 dated 25.02.2023 issued by the Public Service Commission, West Bengal. Learned counsel for the State and the PSC, WB submit that this is a new cause of action as the applicant wants to appear for a new examination and therefore, it is not related with the examination referred to in the OA-364 of 2022. Therefore, without participation, no interim order be allowed through filing this Miscellaneous Application. The applicant has no locus standi to file a Miscellaneous Application as part of OA 364 of 2022 since both the examinations and cause of action are separate and not related to each other.

In view of above submission, the Tribunal agrees that this MA filed by the applicant as part of OA 364 of 2022 is not admissible and the matter is **disposed of.**

CSM/SS

SAYEED AHMED BABA
Officiating Chairperson & Member (A)