

WEST BENGAL ADMINISTRATIVE TRIBUNAL

Bikash Bhavan, Salt Lake, Kolkata – 700 091.

Present-

SUBRATA CHANDRA POLLE

LEARNED REGISTRAR

Case No. –MA 19 of 2022 (OA 806 OF 2021)

GANDHI PADA MAN - VERSUS - THE STATE OF WEST BENGAL & ORS.

Serial No. and Date of order	For the Applicant	: Mr. P. Chatterjee, Advocate
<u>02</u> 25.03.2022	For the State respondents	: Mr. S.N. Ray, Advocate.

In terms of the previous order, a copy of the application has been served upon the state respondents and an affidavit of service filed today be kept on record.

Despite repeated calls, none appears for the state respondents.

Mr. S.N. Ray, learned counsel appearing for the state respondents in OA 806 of 2021 has submitted that the department concerned has not served a copy of the application for substitution and he prayed for time to get instruction.

At this stage, Mr. P. Chatterjee, learned counsel appearing for the applicant has furnished a copy of the application for substitution and the same is acknowledged by Shri Ray, learned counsel.

It appears from the Miscellaneous Application that the original applicant Gandhi Pada Man died on 24.12.2021 during the pendency of the original application (OA 806 of 2021). A copy of the death certificate is enclosed herewith, from which, it appears that the present application has been filed within the period of limitation.

The names of the legal heirs of the deceased are mentioned in paragraph 4 of the Miscellaneous Application. There is no dispute as regards the number of legal heirs of the deceased. All the legal heirs are major and sui juris.

Accordingly, the application for substitution (MA 19 of 2022) is allowed.

The learned counsel for one of the substituted applicants namely Smt. Neyoti Man is directed to file an amended original application (OA No. 806 of 2021) by incorporating the names of the legal heirs and representatives of the deceased as 1(a) to 1(c) as disclosed in paragraph 4 of the Miscellaneous Application by the next date and a copy of the said amended application be served upon Shri S.N. Ray, learned counsel for

ORDER SHEET

Form No.

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Vs.

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THE STATE OF WEST BENGAL & ORS.

the state respondents in the meantime.

At this stage, Mr. Chatterjee, undertakes to file Vakalatnama in respect of remaining two substituted applicants in this case by the next date. The said prayer is accepted.

O.A. 806 of 2021 will be listed on 10.05.2022 and on that date, the amended original application and Vakalatnama on behalf of the substituted applicants are to be filed.

(SUBRATA CH. POLLE)
REGISTRAR

H.S