

ORDER SHEET

WEST BENGAL ADMINISTRATIVE TRIBUNAL

Bikash Bhavan, Salt Lake, Kolkata – 700 091.

Present-

The Hon'ble Mrs. Urmita Datta (Sen), Member(J).

Case No. –MA 30 of 2021 [OA 132 of 2021]

Arjun Murmu & Others - **VERSUS** - THE STATE OF WEST BENGAL & ORS.

Serial No. and Date of order <u>04</u> 02.09.2021	For the Applicants For the State Respondent	: Mrs. S. Agarwal, Ld. Advocate. : Mr. M.N. Roy, Ld. Advocate.
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The matter is taken up by the Single Bench pursuant to the Notification No. 949-WBAT/2J-15/2016 dated 24th December, 2020 and 456-WBAT/2J-15/2016 dated 16th July, 2021 issued in exercise of the powers conferred under Section 6 (5) of the Administrative Tribunals Act, 1985.

The instant application has been filed basically challenging the withdrawal of the facility granted by the Director of Agriculture and Project Director of Agriculture Technology Management Agency, Cooch Behar (ATMA). However, the counsel for the respondent on the earlier occasion had raised preliminary objection on the point of jurisdiction as the applicant was appointed as Assistant Technology Manger/Block Technology Manager under ATMA, Cooch Behar and the Deputy Director of Agriculture and Director of Agriculture are the Ex-Officio Member of contractual project of ATMA, which is a Government project and the applicants were contractual employees of the same. Thus, they do not hold the civil post and the Tribunal do not have the jurisdiction to entertain the instant case.

Today, the counsel for the applicants has fairly submitted that they want to withdraw the instant application with a liberty to approach the appropriate forum.

Accordingly, both the MA and OA are dismissed as withdrawn with a liberty to approach the appropriate forum, if so advised.

Since for circumstances beyond control, the Registry is unable to furnish plain copies of this order to the learned advocates for the parties, the Registry is directed to upload this order on the website of the Tribunal forthwith and parties are directed to act on the copies of the order downloaded from the website.

Mrs. URMITA DATTA (SEN)
MEMBER (J)

SS/CSM