

WEST BENGAL ADMINISTRATIVE TRIBUNAL

Bikash Bhavan, Salt Lake, Kolkata – 700 091.

Present-

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

Case No. – MA 34 of 2020 [OA 621 of 2013]

Sk. Sabedullah -- **VERSUS** – The State of West Bengal & Ors.

Serial No. and
Date of order

For the Applicant : Mr. M.K. Sahu,
Ld. Adv.
For the State Respondent : Mrs. S. Agarwal,
Ld. Adv.

09

10.11.2022

The matter is taken up by the Single Bench pursuant to the order contained in the Notification No. 536-WBAT/2J-15/2016 dated 26th August, 2022 issued in exercise of the powers conferred under Section 5(6) of the Administrative Tribunals Act, 1985.

The instant Miscellaneous Application has been filed praying for recalling of the order dated 07.01.2020, which was dismissed for default on the ground that for a long time, none appeared for the applicant. Today, Mr. M.K. Sahu, learned counsel for the applicant has submitted that it is a changed brief to him. Earlier, advocate-on-record did not take any step in this matter. Therefore, the application was dismissed for default. However, as it is a case of dismissal, unless and until, the order would be recalled, the applicant would suffer irreparable and injuries.

In view of the above, the MA is allowed. The order dated 07.01.2020 is recalled and the OA is directed to be restored in its original position. It has been submitted by the learned counsel for the respondent that reply has already been filed.

Let the matter be listed under the heading “**Hearing**” on **03.01.2023**.

Rejoinder, if any, in the meantime.

URMITA DATTA (SEN)
Officiating Chairperson & Member (J)

CSM/SS