

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. – OA 349 of 2020

Swapna Ghosh & Others - **VERSUS** - THE STATE OF WEST BENGAL & ORS.

Serial No. and Date of order <u>03</u> 21.04.2021	For the Applicants	: Mr. S. Bhattacharjee , Ld. Advocate.
	For the Respondent Nos. 2 & 3	: Mrs. S. Agarwal, Ld. Advocate.
	For the AG, WB	: Mr. B. Mitra, Depttl. Representative.
	For the Pvt. Respondent No. 6	: Mr. D. Kundu, Ld. Advocate.
	For the Other Respondent	: Mr. A. De, Depttl. Representative.

The matter is taken up by the Single Bench pursuant to the Notification No. 949-WBAT/2J-15/2016 dated 24th December, 2020, issued in exercise of the powers conferred under sub section (6) of Section 5 of the Administrative Tribunals Act, 1985.

Mr. S. Bhattacharjee, Ld. Counsel for the applicants, today has prayed for leave to file fresh Vakalatnama as it is a change over brief to him. During the course of the hearing, the counsel for the applicants has prayed for leave to withdraw the instant application with a liberty to file fresh application on self-same ground as there are certain defects in the instant application and he has been engaged in the instant application newly.

The counsel for the respondents has no objection.

The counsel for the private respondent, however, has objected and has submitted that in the earlier occasion also the applicant had filed one original application being no. OA-16 of 2020, which was withdrawn by the applicant on 02.03.2020 even then the counsel for the applicant today has prayed for the same. Therefore, as per the counsel for the private respondent, the private respondent is suffering.

However, the counsel for the applicant has submitted that since he has been newly appointed, he wants to withdraw to file the proper application.

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Heard the parties.

Accordingly, the OA is **dismissed** as withdrawn with a liberty to file fresh application on the self-same ground. However, as a last chance, as in the earlier occasion the same opportunity was granted to the applicant.

Mrs. URMITA DATTA (SEN)
MEMBER (J)

SS/CSM