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. OA - 450 of 2017

Sandip Kumar Roy - VERSUS - THE STATE OF WEST BENGAL & ORS.

Serial No. and

For the Applicant

For the Respondents

: Mr. Pradip Kumar Roy,

Date of order

Learned Senior Advocate, Mr. Shaon Bhattacharya,

Learned Advocate.

 $\frac{21}{02.09.2025}$

: Mr. G.P. Banerjee,

Mr. G. Halder, Learned Advocates.

The matter is taken up by the Single Bench pursuant to the order contained in the Notification No. 638 – WBAT / 2J-15/2016 dated 23rd November, 2022 issued in exercise of the powers conferred under Section 5(6) of the Administrative Tribunals Act, 1985.

Today, a copy of Hon'ble High Court in WPST – 108 of 2025 passed on 27.08.2025 has been presented before this Tribunal. The Tribunal after careful reading of the order records the following two observations of the Hon'ble High Court :-

"7. Upon consideration of the rival submissions of the parties, and considering the order of the Tribunal, extracted above, we are of the view that the matter is required to be reconsidered by the Tribunal since no definite finding has been recorded by the Tribunal in respect of the relief sought for in the O.A., even though various documentary evidence and several arguments advanced on behalf of the parties has been noted in the order.

8. In view of the nature of submissions advanced in the proceedings today we refrain from expressing any opinion on the merits of the submissions advanced by the learned advocates, all of which are left open for consideration by the Tribunal. The matter in our opinion also requires a fresh consideration in view of nature of findings returned by the Tribunal. We, therefore, remand the matter to the SAT for consideration afresh. The Original Application be restored to its original file. For facilitating reconsideration, we set aside the order of the Tribunal dated 07.03.2025."

The Hon'ble Court after recording the above observation has set aside this Tribunal's order No. 20 dated 07.03.2025 and advised the Tribunal for reconsideration.

In terms of the above direction, the matter has been heard and reconsidered afresh.

Pleadings are complete.

Order reserved.

SAYEED AHMED BABA
OFFICIATING CHAIRPERSON & MEMBER(A)

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Vs.

THE STATE OF WEST BENGAL & ORS.