

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 – 507 of 2024

Biswajit Chowdhury - VERSUS - THE STATE OF WEST BENGAL & ORS.

Serial No.	For the Applicant	: Mr. Dwaipayan Sanyal,
and		Advocate.
Date of order		
<u>3</u>	For the Respondents	: Mr. G.P. Banerjee,
28.01.2025		Advocate.

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.

Affidavit of service filed be kept in record.

Mr. Sanyal, learned counsel is pressing for prayer (d) under the relief sought for section. The prayer is “an order be directed upon the respondent to dispose of the representation of the applicant”. The copy of the representation prayed for such consideration does not have any dates nor any seal and signature of the respondent authorities pointing to the fact of this receipt. However, the prayer in the representation is for service benefits including seniority after joining the service. The Tribunal observes that though the prayer prays for service benefit and seniority but without any specifics. Mr. Banerjee has also pointed out that though the applicant as mentioned his representation about an application filed before this Tribunal but such application does not have the application number, therefore, it is difficult to ascertain the authenticity of the statement made by the applicant. Mr. Banerjee has also pointed out that as indicated by the applicant himself in the application and his representation, similar prayers prayed today was earlier also prayed before this Tribunal as well as before the Hon'ble High Court, which were dismissed by both the courts. Having observed the above, the Tribunal has come to this conclusion that this application is barred by res judicata and not admissible before this Tribunal. Therefore, it is dismissed without any orders.

A.K.P/H.S.

SAYEED AHMED BABA
OFFICIATING CHAIRPERSON & MEMBER(A)