

ORDER SHEET

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. –OA 726 of 2018

Goutam Kumar Mondal - **VERSUS** - The State of West Bengal & Ors.

Serial No. and
Date of order

For the Applicants

: Mr. M.N. Roy,
Mr. A.K. Ghosh,
Mr. R. Ghosh,
Learned Advocates.

25
18.11.2022

For the State Respondents

: Mr. G.P. Banerjee,
Learned Advocate.

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.

During the course of the hearing, the counsel for the applicant has drawn my attention to the Appellate Order dated 10.07.2018 (Annexue U) and has submitted that the said Appellate Order is non-speaking one and liable to be quash.

Heard the parties and perused the order dated 10.07.2018 passed by the Appellate authority, wherein the Appellate authority has ordered inter-alia :

“In response to your letter quoted above, it is to inform you that your appeal has been regretted by the Appellate Authority.”

From the above, it is clear that the no reason has been shown while deciding the Appeal of the applicant.

Therefore, in my consider opinion, the Appellate order is liable to be quashed.

Accordingly, the order is quashed and set aside. Further the case is remanded back to the Appellate Authority to consider the Appeal of the applicant in proper prospective as per law and the communicate his decision by reasoned and speaking order within a period of twelve weeks from the date of communication of the order.

HS

Accordingly, OA is disposed of.

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