

ORDER SHEET

WEST BENGAL ADMINISTRATIVE TRIBUNAL

Bikash Bhavan, Salt Lake, Kolkata – 700 091.

Present-

The Hon'ble Justice Soumitra Pal, Chairman

The Hon'ble Mr. Sayeed Ahmed Baba, Member (Admn.)

Case No. –OA 223 of 2021

Buddhadev Naskar - VERSUS - THE STATE OF WEST BENGAL & ORS.

Serial No. and Date of order <u>05</u> 11.04.2022	For the Applicant	: Mr. A. Hati, Ms. N. Sharma, Advocates.
	For the State Respondent	: Mr. S. Ghosh, Advocate.
	For the Pvt. Respondent No.4	: Mr. A. Maiti, Advocate.

Let affidavit of service filed be kept on record.

Let Vakalatnama filed by Mr. A. Maiti, learned advocate for the private respondent no. 4 be also kept on record.

At the very outset, Mr. Maiti, submits that no notice was served on his client that the matter would come up for hearing on 1st October, 2021 when the matter was admitted and directions were issued for filing of reply and rejoinder.

Mr. A. Hati, learned advocate appearing on behalf of the applicant, referring to the order dated 15th March, 2021 submits that as the situation was beyond control, no notice could be served on the private respondent regarding the fixing of the date i.e. 1st October, 2021 for hearing.

In reply, Mr. Maiti submits that part of the order admitting the application be recalled as he is raising the point of maintainability as well as point of delay in moving the application.

Since the private respondent no. 4 was not aware that the matter would be taken up for hearing on 1st October, 2021 when the matter was admitted and directions were issued for filing of reply and rejoinder, the directions contained in the ultimate paragraph of the order dated 1st October, 2021 is recalled.

Form No.

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Vs.

THE STATE OF WEST BENGAL & ORS.

Heard Mr. Hati, Mr. Ghosh, learned advocate for the State respondents and Mr. Maiti.

Let reply be filed by 6th June, 2022. Rejoinder, if any, by 17th June, 2022.

Matter to appear under the heading “Reply, Rejoinder and Objection” on 22nd June, 2022.

The point of maintainability raised on behalf of the private respondent no. 4 is kept open.

(SAYEED AHMED BABA)
Member (A)

(SOUMITRA PAL)
CHAIRMAN

CSM/SS