

**WEST BENGAL ADMINISTRATIVE TRIBUNAL**

**Bikash Bhavan, Salt Lake, Kolkata – 700 091.**

**Present-**

**The Hon'ble Sayeed Ahmed Baba, Officiating Chairperson and Administrative Member**

**Case No. –OA 358 OF 2020**

**DEBABRATA SINGHA - VERSUS - THE STATE OF WEST BENGAL & ORS.**

Serial No. and Date of order	For the Applicants	:	Mr. Asim Kumar Niyogi, Advocate
	For the State Respondents	:	Mr. Gautam Pathak Banerjee, Advocate

21  
10.05.2023

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

On consent of the learned counsels for the parties, the case is taken up for consideration sitting singly.

The prayer in this application is for a direction to the respondent authorities to comply with the order of the Tribunal passed on 30.08.2018 in O.A. No. 361 of 2015 and to reinstate the applicant to the post of GDA and release the consequential benefit from 1998 till his rejoining.

Concluding a disciplinary proceedings against the applicant, the Director of Health Services as the Disciplinary Authority passed the final order on 30.09.2020 by which services of the applicant was terminated from 29.07.1998. Challenging this dismissal order, the applicant refers to paragraph 24 of the order passed by the Hon'ble High Court in W.P.S.T. No. 123 of 2019.

However, it appears that the relevant part of the High Court order at paragraph 24 relates to another order dated 27.06.2014 which the Hon'ble High Court upheld the order of the Tribunal after setting aside.

Submitting on behalf of the respondent authorities, Mr. Gautam Pathak Banerjee, learned counsel for the applicant points out that this matter involves various points of law and on all earlier occasions this was heard by a Bench of the Tribunal comprising two Members (one Judicial and one Administrative).

**ORDER SHEET**

Form No.

**DEBABRATA SINGHA**

**Vs.**

**Case No. - OA 358 OF 2020**

**THE STATE OF WEST BENGAL & ORS.**

Therefore, this matter be placed before such a Bench. Mr. Asim Kumar Niyogi, learned counsel appearing on behalf of the applicant also agrees.

Let the matter be placed before a Bench comprising two members (Judicial and Administrative) under the heading "Hearing" on 14.07.2023.

(SAYEED AHMED BABA)  
OFFICIATING CHAIRPERSON  
and MEMBER (A)

SCN.

WEST BENGAL ADMINISTRATIVE TRIBUNAL