

ORDER SHEET
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 379 OF 2024

SAMIR KUMAR DUTTA - Vs - THE STATE OF WEST BENGAL & OTHERS

Serial No. and
Date of order

03
08.05.2025

For the Applicant : Mr. Goutam Pathak Banerjee
Advocate

For the State Respondents : Mrs. Sonali Mitra
Advocate

For the Principal Accountant : Mr. Biswanath Mitra
General (A&E) West Bengal (Departmental Representative)

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 23rd 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 and the learned Departmental representative for the contesting parties, the case is taken up for consideration sitting singly.

Mrs.S.Mitra, learned counsel for the State respondents presents a copy of Gradation list of Constables of Kolkata Police, which shows Shyamal Kanti Bhattacharjee at serial Grd. No. 13332 and above the applicant, Samir Kumar Dutta, who is at serial Grd. No. 13333. In this Gradation list, it is evident that the contention of the applicant that he is senior to Shyamal Kanti Bhattacharjee is not correct. Not opposing this fact, however, Mr.G.P.Banerjee, learned counsel for the applicant draws attention to Rule 55 (4) of West Bengal Service Rules, Part-I.

The learned counsels representing all the sides are of the view that this matter involves interpretation of various laws, therefore, it would be appropriate, if this matter is placed before and heard by a Bench comprising two Members.

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Vs.

Case No : **OA 379 OF 2024**

THE STATE OF WEST BENGAL & OTHERS.

In view of their submission, let this matter be placed before a Bench comprising two Members (Judicial and Administrative) under the heading 'Hearing' on 13th November, 2025.

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

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