

WEST BENGAL ADMINISTRATIVE TRIBUNAL

Bikash Bhavan, Salt Lake, Kolkata – 700 091.

Present-

The Hon'ble Justice Soumitra Pal, Chairman

Case No. –OA 38 of 2020

Badal Ch. Dey - VERSUS - THE STATE OF WEST BENGAL & ORS.

Serial No.	For the Applicant	: Mr. A. Dalai,
and		Advocate.
Date of order	For the State Respondent	: Mr. G.P. Banerjee,
<u>11</u>		Advocate.
12.08.2022	For the Private Respondent No. 6	: Mr. G. Ghosh,
		Advocate.

The matter is taken up by the single Bench pursuant to the order contained in the Notification No. 496-WBAT/1E-08/2003 (Pt.-II) dated 4th August, 2022 issued in exercise of the powers conferred under section 6 (5) of the Administrative Tribunals Act, 1985.

In this application, Badal Chandra Dey, the applicant, a GDA attached to R.T.U., OPD Department, SSKM Hospital, Kolkata and who has superannuated on 30th November, 2019, has prayed for certain reliefs, the relevant portion of which is as under :

“.....(i) To direct the respondent No. 3 herein to take necessary steps to withdraw and/or cancel/set aside the said reason order dated 24.12.2019 passed by the respondent no. 3 herein.

(ii) To direct the respondent No. 3 to take necessary steps to re-hear the said matter in presence of all the necessary parties and to pass a reason order afresh.”

At the very outset, it is submitted by Mr. G. Ghosh, learned advocate for the private respondent no. 6, that a suit, being T.S. 27 of 2020, has been filed by his client against the applicant herein, praying for a declaration that she is the legally married wife of Badal Chandra Dey. A copy of the plaint is filed today. Let it be kept on record.

Mr. A. Dalai, learned advocate for the applicant submits that the order under challenge may be set aside and quashed as it has been passed without

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giving proper opportunity of hearing which was consequent to the order dated 30th August, 2019 passed in OA-447 of 2019 which is disputed by Mr. G.P. Banerjee, learned advocate for the State respondents and the learned advocate for the private respondent.

Since title suit has been filed by the private respondent no. 6, being TS 27 of 2020, before the Civil Judge, Junior Division, 2nd Court, Kanthi, no order is passed on the application. The application is disposed of.

(SOUMITRA PAL)
CHAIRMAN

CSM/SS