

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 401 OF 2022

PRASENJIT BISWAS & OTHERS - Vs - THE STATE OF WEST BENGAL & OTHERS

Serial No. and
Date of order

For the Applicants : Mrs .Sonali Mitra
Advocate

09
24.09.2024

For the State respondents : Mrs. Sunita Agarwal
Advocate

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 for the contesting parties, the case is taken up for consideration sitting singly.

The applicants have prayed for setting aside the impugned reasoned order passed by the Principal Secretary, Department of Food and Supplies on 18.02.2019. In terms of a direction of the Hon'ble High Court in WPST-207 of 2011 dated 16.07.2018, such reasoned order was passed. The Principal Secretary was directed to consider the panel for appointment to the post of Group-D including Night Guards (Non-PSC) after examining if such panel was prepared in accordance with 100 point roster notified in 240-Emp dated August 2, 2001.

Two similar matters being OA-287 of 2010 and OA-356 of 2010 were heard this morning, in which, all the sides had agreed for hearing of the matters by a Bench comprising two Members. In this application also, the learned counsels representing both the sides opined that since this matter also relates to appointment and since it will involve interpretation of various points of law, therefore, it would be appropriate, if this matter is placed before and heard by a Bench

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comprising two Members.

In view of the above submissions, let this matter be placed before a Bench comprising two Members (Judicial and Administrative) under the heading 'Hearing' on 5th February, 2025.

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

BLR