

ORDER SHEET

WEST BENGAL ADMINISTRATIVE TRIBUNAL

Bikash Bhavan, Salt Lake, Kolkata – 700 091.

Present-

The Hon'ble Justice Soumitra Pal, Chairman.

Case No. –OA 403 of 2015

Arunava Kundu. - Versus - The State of West Bengal & Others.

Serial No. and Date of order	For the Applicant	: Mr. B. P. Subba, Ms. B. Shreshtha, Advocates.
<u>30</u> 21.07.2022.	For the State Respondents	: Mr. S. Ghosh, Mr. S. Bhattacharjee, Advocates.
	For the Advocate General, West Bengal.	: Mr. G. P. Banerjee, Advocate.

The matter is taken up by the single Bench pursuant to the order contained in the Notification No. 118-WBAT/1E-08/2003 (Pt.-II) dated 11th February, 2022 issued in exercise of the powers conferred under section 6 (5) of the Administrative Tribunals Act, 1985.

Mr. B. P. Subba, learned advocate for the applicant submits that since the issue is covered by the judgments passed in D. S. Nakara and Others –Vs- Union of India : AIR 1983 Supreme Court 130(1) and in Union of India-Vs-Deoki Nandan Aggarwal : 1992 SCC (L&S) 248 appropriate order as prayed for may be passed.

Mr. G. P. Banerjee, learned advocate for the learned Advocate General, West Bengal, relying on the judgment of the Supreme Court in in State of Punjab-Vs-Amar Nath Goyal : 2005(6) SCC 754, particularly the law laid down in paragraphs 22, 26, 29 and 37, submits that the applicant is not entitled to the orders as prayed for.

Let the matter appear under the heading “For Orders” on 28th July, 2022.

(SOUMITRA PAL)
CHAIRMAN

S.M.

