

WEST BENGAL ADMINISTRATIVE TRIBUNAL

Bikash Bhavan, Salt Lake, Kolkata – 700 091.

Present-

The Hon'ble SAYEED AHMED BABA, Member (A)

Case No. – OA-581 of 2022

Serial No. and Date of order	Krishna Maity & Anr. For the Applicant	:	Mr. M.N. Roy, Learned Advocate.
<u>03</u> 19.09.2022	For the State Respondents	:	Mr. G.P. Banerjee, Learned Advocate

In this application the prayer is for an interim order restraining the respondents from setting aside the orders 754 & 205/DIT/UD/2022 dated 19.07.2022. By this order the two applicants have been instructed to join as Lecturer (DIET) twice a week in addition to their normal duties. Mr. Roy submits that this order is void in law because the second campus where the applicants have been asked to attend twice a week is not a recognised institution approved by the N.C.T.E., Govt. of India as well as West Bengal Board of Primary Education. Therefore, the careers of the applicants will also be adversely effected by this order.

Mr. Banerjee submits that at first the jurisdiction of this Tribunal is to be considered regarding the internal arrangements made by the Institute whether the Tribunal has the jurisdiction to interfere in their internal arrangement. Mr. Banerjee also submits that since the applicants have already jointed the duties as per the order without any protest, therefore, the maintainability of this application is to be considered. Submission is also that the applicant has also challenged the transfer order which is pending before this Tribunal.

It appears that the issue of whether the second campus is a legal entity or not has be answered primarily by the respondent no. 4, N.C.T.E., Govt. of India. Moreover, the respondent no. 4 also has to opine whether the applicants being attached in the second campus violates any govt. order or not.

Let the matter appear under the heading “Orders” on **27.09.2022**. In the meantime respondent No. 3, 6 & 7 are directed not to take any coercive measures against the applicant.

The notice of this case alongwith the Order passed today to be communicated to the Additional Solicitor General, Govt. of India, at Kolkata.

SAYEED AHMED BABA
MEMBER (A)