

ORDER SHEET

WEST BENGAL ADMINISTRATIVE TRIBUNAL

Bikash Bhavan, Salt Lake, Kolkata – 700 091.

Present-

Mr. Sayeed Ahmed Baba, Officiating Chairperson and Hon'ble Member (A).

Case No. – OA 745 of 2022.

BAISHAKHI MONDAL–Vs- THE STATE OF WEST BENGAL & ORS

Serial No. and
Date of order

4
22.6.2023

For the Applicant : Mr. A. Mitra,
Advocate.

For the State respondents : Mrs. S. 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 counsel for the contesting parties, the case is taken up for consideration sitting singly.

Mr. A. Mitra, learned advocate for the applicant files a copy of the relevant Apex Court and Hon'ble High Court judgements. The relevant part of the above judgement in C.A.N. 12495 of 2014 (The State of West Bengal & Ors-vs- Purnima Das & Ors) are as under :-

“.....Consequently, the offending provision in the notification dated April 2, 2008 (governing the cases of Arpita and Kakali) and February 3, 2009 (governing the case of Purnima) i.e. the adjective ‘unmarried’ before ‘daughter’, is struck down as violative of the Constitution. It however, goes without saying that after the”.

Mrs. S. Agarwal, learned advocate for the State respondents prays for adjournment to place the relevant Notification on the next date.

Let this matter appear under the heading “For Orders” on 11.9.2023.

Skg.

(SAYEED AHMED BABA)
Officiating Chairperson and Member (A).