

ORDER SHEET

WEST BENGAL ADMINISTRATIVE TRIBUNAL

Bikash Bhavan, Salt Lake, Kolkata – 700 091.

Present-

The Hon'ble Sayeed Ahmed Baba, Officiating Chairperson & Member (A)

Case No. – OA 776 of 2022

Niren Malakar & Another -- **VERSUS** – The State of West Bengal & Ors.

Serial No. and Date of order	For the Applicants	: Mr. M.N. Roy, Mr. G. Halder, Ld. Advocates.
<u>03</u> 22.12.2022	For the State respondent	: Mrs. S. Agarwal, Ld. 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.

This matter was to be heard on 08.02.2023, but on being mentioned and requested by the learned counsel for the applicants, this was taken up today. After the submissions from both sides, it appears that the applicants' prayer is for an interim order to stay the operation of transfer affecting the applicants in this OA, similar to an interim order which was granted by the Tribunal to the applicants in OA-563 of 2022.

Mrs. Agarwal, learned counsel for the State respondents opposes such interim stay. However, considering the fact that an interim stay was granted to the applicants on the analogous OA-563 of 2022, an interim stay in this matter is also given directing the respondents not to give effect to the transfer order affecting these applicants dated 28.11.2022 till disposal of the matter.

Let this matter appear under the heading "**Hearing**" on **08.02.2023** with a direction to the respondents to file their reply and rejoinder by the applicants, if any, in the meantime.

SAYEED AHMED BABA
Officiating Chairperson & Member (A)

CSM/SS