

**ORDER SHEET**

**WEST BENGAL ADMINISTRATIVE TRIBUNAL**

**Bikash Bhavan, Salt Lake, Kolkata – 700 091.**

Present : **HON'BLE JUSTICE SOUMITRA PAL,**      **HON'BLE CHAIRMAN &**  
**HON'BLE SAYEED AHMED BABA,**      **ADMINISTRATIVE MEMBER.**

Case No. – RA 1 of 2018 (OA 162 of 2018).  
PROSENJIT ROY -VERSUS-THE STATE OF WEST BENGAL & ORS.

Serial No. and  
Date of order

15  
29.7.2022

For the Review Applicant : Mr. G.P. Banerjee,  
(State Respondent in Advocate.  
O.A)

For the Applicant in : Mr. B. Chakraborty,  
O.A./Opposite Party Mrs. S. Agarwal,  
Advocates.

The application being RA 1 of 2018, verified on 11<sup>th</sup> May, 2018, for reviewing the order dated 12<sup>th</sup> April, 2018 passed in OA 162 of 2018 is taken up for hearing.

It is submitted by Mr. G.P. Banerjee, learned advocate for the applicant that since it has become evident subsequent to the selection process and after issuance of appointment letter dated 11<sup>th</sup> April, 2017 that the original applicant is unable to write a joining letter, as evident from pages 11 and 12 of the Review Application, the order dated 12<sup>th</sup> April, 2018 may be reviewed and recalled and thereafter to hear the Original application on merit. On a query, it is submitted though a complaint was lodged before the CID (Operations), C.I.D., West Bengal on 20<sup>th</sup> February, 2018, as evident from page 13 of the Review application requesting investigation regarding the applicant , a candidate in the SI(Food) Recruitment, 2014 and as till date, no headway has been made with regard to the said investigation by the D.I.G. (Operations), appropriate order may be passed.

Mr. B. Chakraborty, learned advocate appearing on behalf of the respondent submits since it is evident that appointment letter was issued to the applicant on 11<sup>th</sup> April, 2017, being annexure 'P-6' to the Original application, Medical examination and Police verification of the applicant have been done,

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no order may be passed on the review application. Submission is nothing has been found by the investigating authorities who came to the residence of the original applicant.

Heard learned advocates for the parties. Since the review application is bereft of any ground, in view of the principles of review as laid down in Order 47 Rule 1 of the Code of Civil Procedure and as appointment letter dated 11<sup>th</sup> April, 2017 has been issued, no order is passed on the application. The application is dismissed.

However, it is made clear that since a complaint has been lodged by the Joint Secretary to the Government of West Bengal before the D.I.G. (Operations), C.I.D., West Bengal, Kolkata on 20<sup>th</sup> February, 2018, annexed to the review application, the State respondents are at liberty to take appropriate steps. Moreover, sitting in the Review jurisdiction, we cannot enlarge the scope of review.

(SAYEED AHMED BABA)  
MEMBER(A)

(SOUMITRA PAL)  
CHAIRMAN.

Skg.