

ORDER SHEET
West Bengal Administrative Tribunal

Present.-
The Hon'ble Justice Ranjit Kumar Bag
&
The Hon'ble Dr. Subesh Kumar Das

Case No. **MA – 136 of 2018 arising out of OA – 1052 of 2016**

Samir Majumdar & Others.

Versus

The State of West Bengal & Others. .

Serial No. and
date of order

Order of the Tribunal
with signature

Office action with date
and dated signature of
parties when necessary.

1

2

3

01
17/08/2018

For the Applicants : *Mr. D. N. Ray,*
(Proposed respondents) *Mr. B. Nandy,*
Learned Advocates.

For the Respondents : *Mr. A. K. Das Sinha,*
(Applicants in OA) *Learned Advocate.*

For the State Respondents : *Mr. B. P. Ray,*
Learned Advocate.

Nine applicants of M.A. of 136 of 2018 have prayed for impleading them as respondents in original application no. 1052 of 2016 on the ground that they are necessary parties in the original application.

Mr. D. N. Ray, Learned Counsel appearing on behalf of nine applicants submits that they are placed in the civil list above the applicants of the original application and they will be highly prejudiced if they do not get an opportunity of hearing in the original application, wherein the original applicants have prayed for fixation of seniority above these nine applicants. Mr. A. K. Das Sinha, Learned Counsel representing the original applicants does not seriously raise any objection for impleading nine applicants as respondents in the original application.

ORDER SHEET – (Continuation)

Form No.

Samir Majumdar & Others.
.....

Vs

The State of West Bengal & Others.
.....Case No. **MA – 136 of 2018 arising out of OA – 1052 of 2016**

Serial No. and date of order 1	Order of the Tribunal with signature 2	Office action with date and dated signature of parties when necessary. 3
	<p><i>On consideration of the fact that the seniority of nine applicants will be affected if the applicants of the original application get the order as prayed in the original application. The Tribunal cannot pass an effective order in O.A.-1052 of 2016 in the absence of the nine applicants who are at present senior to the original applicants. Moreover, the original applicants have the right to get relief not only against the state respondents, but also against nine applicants being senior to the original applicants. In our view, nine applicants are necessary parties to the original application and they have right to get the opportunity of hearing. Accordingly, prayer of nine applicants is allowed.</i></p> <p>The Registry is directed to implead nine applicants of M.A.-139 of 2018 as respondent number 5 to 13 of O.A.-1052 of 2016 by way of amendment of cause title of the original application within a period of one week from this date.</p> <p>Miscellaneous Application no. 136 of 2018, thus, stands disposed of.</p> <p>S. K. DAS MEMBER(A)</p> <p>R. K. BAG MEMBER(J)</p>	<p>OFFICE</p>

ORDER SHEET – (Continuation)

Form No.

Samir Majumdar & Others.
.....

Vs

The State of West Bengal & Others.
.....Case No. **MA – 136 of 2018 arising out of OA – 1052 of 2016**Serial No. and
date of orderOrder of the Tribunal
with signatureOffice action with date
and dated signature of
parties when necessary.

1

2

3

ORDER SHEET – (Continuation)

Form No.

Samir Majumdar & Others.
.....

Vs

The State of West Bengal & Others.
.....Case No. **MA – 136 of 2018 arising out of OA – 1052 of 2016**

Serial No. and date of order	Order of the Tribunal with signature	Office action with date and dated signature of parties when necessary.
1	2	3