

**ORDER SHEET**  
**WEST BENGAL ADMINISTRATIVE TRIBUNAL**

**Present-**

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

**Case No – MA 13 OF 2020 [OA 224 of 2019]**

Sukanta Paul & Another vs The State of West Bengal & Ors.

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
02 20.01.2020	<p>For the Applicants : Mr. M. Bhattacharjee, Mr. D. Bhaduri, Learned Advocates.</p> <p>For the Respondent : Mr. M.N. Roy, Learned Advocate.</p> <p>For the Respondent Nos.8,9 &amp; 12 : Mr. A. Lahiri, Mr. S.K. Mondal, Learned Advocates.</p> <p>Affidavit of service filed on behalf of the applicants is kept on record.</p> <p>Vakalatnama filed on behalf of the respondent nos. 8, 9 and 12 is kept on record.</p> <p>Mr. Bhattacharjee, Learned Senior Counsel for the applicants, contends that the draft gradation list published on December 19, 2019 may not be given effect till the final hearing of the original application. On the other hand, Mr. M.N. Roy, Learned Counsel for the state respondents and Mr. A. Lahiri, Learned Counsel for the respondent nos. 8, 9 and 12 jointly submit that the draft gradation list was published on December 19, 2019 in compliance with the direction given by the Hon'ble High Court on July 27, 2017 in WPST No. 184 of 2016 which affirmed the order passed by the Tribunal on June 16, 2016 in OA 523 of 2015. On our query, both Mr. Lahiri and Mr. Roy have submitted that the present applicants were not parties to OA 523 of 2015 which was disposed of on June 16, 2016 and</p>	

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Sanjib	<p>the said order attained finality in WPST No. 184 of 2016 by the Hon'ble High Court.</p> <p>Having heard Learned Counsel representing the respective parties and on consideration of the contents of the Miscellaneous Application, we find that the present applicants were not parties to Original Application no. 523 of 2015. Since the applicants have contended that they are prejudiced by publication of draft gradation list dated December 19, 2019 in compliance with the order of the Hon'ble High Court in WPST No. 184 of 2016 and the order of the Tribunal in OA 523 of 2015 and since the applicants were not parties to the said proceedings, we are of the view that the respondents should maintain status quo with regard to the said draft gradation list till the next date of hearing of the Miscellaneous Application.</p> <p>Accordingly, the state respondents are directed to maintain status quo with regard to draft gradation list published on December 19, 2019 (Annexure-X to the Miscellaneous Application) till February 25, 2020. Reply, if any, may be filed by the state respondents in the meantime after service of copy on the other side.</p> <p>List the matter under the heading "<b>Hearing</b>" on <b>25.02.2020</b>.</p> <p style="display: flex; justify-content: space-between;"><span>( S.K. DAS ) MEMBER(A)</span><span>( R. K. BAG ) MEMBER (J)</span></p>	
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