

ORDER SHEET

WEST BENGAL ADMINISTRATIVE TRIBUNAL

Present-

The Hon'ble JUSTICE RANJIT KUMAR BAG

& The Hon'ble DR. SUBESH KUMAR DAS

Case No – MA 19 OF 2019 & MA 20 OF 2019(OA 1132 OF 2015)

Probhat Kumar Roy & Others 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
<p style="text-align: center;">04</p> <hr/> <p>29.08.2019</p>	<p><i>For the Applicants : Mr. B.R. Neogi, Mr. B.R. Niyogi, Learned Advocates.</i></p> <p><i>For the State Respondents : Mr. S. Ghosh, Learned Advocate.</i></p> <p><i>The applicants have prayed for recalling order dated July 25, 2018 passed in OA 1132 of 2015 on condonation of delay.</i></p> <p><i>Having heard Learned Counsel representing both parties and on consideration of the impugned order dated July 25, 2018 passed in OA 1132 of 2015, we find that this Bench dismissed the original application as not pressed with liberty to the applicants to ventilate their grievances before pay commission when the pay commission will be setup by the State of West Bengal. The order of dismissal as not pressed was recorded by this Bench on the basis of submission made by Mr. S.N. Ray, Learned Counsel who represented the applicants before us.</i></p> <p><i>Mr. B.R. Neogi, Learned Counsel for the applicants contends that the applicants did not give any instruction to Mr. S.N. Ray, for not pressing OA 1132 of 2015 for hearing. On perusal of the impugned order dated July 25 of 2018, we find that the said order has not been passed</i></p>	

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after going into the merit of the case. Since it is submitted on behalf of the applicants they did not give any instruction to Learned Counsel for not pressing the original application for hearing on July 25, 2018, we would like to recall the said order in order to hear out the matter on merit. We have also heard Learned Counsel representing the respondents.

In view of our above observations, the order dated July 25, 2018 passed in OA 1132 of 2015 is recalled and OA 1132 of 2015 is restored to its original file and number.

Accordingly, both MA 19 of 2019 and MA 20 of 2019 are disposed of.

**(S.K.DAS)
Member (A)**

**(R.K.BAG)
Member (J)**

H.S