West Bengal Administrative Tribunal

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

Case No. **MA-236 of 2019(OA-308 of 2015)**

Sri Basudev Mookherjee & Ors.	Versus	The State of West Bengal & Ors.

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

_____21_____
16/01/2020
	For the Applicants **:** Mr. M.N. Roy,
	Mr. S. Dutta,
	Ld. Advocates.
	
	For the State Respondent : Mr. S.K. Mondal,
	Ld. Advocate.
	
	For the A.G., W.B. **:** Mr. B. Mitra,
	Depttl. Representative.
	
	    The applicant Jyotsna Kundu has prayed for substitution of her name in place of her deceased husband Shyam Sundar Kundu in the original application on the ground that Shyam Sundar Kundu died on December 16, 2017.
	
	    Having heard Learned Counsel representing both parties and the Departmental representative of the respondent A.G., W.B., we find that Shyam Sundar Kundu filed OA-308/2015 along with other applicants praying for higher pay-scale with retrospective effect. The cause of action for filing the original application still survives and as such the applicant being the legal representative of the deceased Shyam Sundar Kundu is entitled to be substituted in the original application. In view of our above findings, prayer for substitution is allowed.
	
	    The Registry is directed to delete the name of the deceased Shyam Sundar Kundu from the cause-title of the original application and incorporate the	

OFFICE		

ORDER SHEET – *(Continuation)*

Form No.

Sri Basudev Mookherjee & Ors.
....

Vs

The State of West Bengal & Others.
....

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	name of Jyotsna Kundu in his place in the original application within a period of four (04) weeks from this date.	
	The Miscellaneous Application is, thus, **disposed of.**	
	S. K. DAS **R. K. BAG** **MEMBER(A)** **MEMBER(J)**	
Csm		