

ORDER SHEET**WEST BENGAL ADMINISTRATIVE TRIBUNAL****Present-**

The Hon'ble Justice Soumitra Pal (Chairman)
& The Hon'ble Mr. P. Ramesh Kumar (Administrative Member)

Case No – MA-166 of 2018 (arising out of OA 1567 OF 2012)

SUBIR KUMAR GHOSH & ORS. 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>1 15.11.2018</p>	<p>For the Applicant : Mr. S. Mukherjee Mrs. K. Banerjee Advocate</p> <p>For the Respondents: Mr. M.N. Ray Advocate</p> <p>The miscellaneous application, being MA-166 of 2018 in O.A. 1567 of 2012 – Subir Kumar Ghosh & Ors. Vs. The State of West Bengal & Ors. for addition of parties – is taken up for hearing. Heard Mr. S. Mukherjee, learned advocate for the applicant and Mr. B.P. Roy, learned advocate appearing along with Mr. M.N. Ray, learned advocate for the State respondents.</p> <p>Perused the order of the Hon'ble Supreme Court passed in Special Leave Petition (Civil) Diary No. 39648 / 2017 (Subir Kumar Ghosh & Ors. Versus The State of West Bengal & Ors.) on 14th May, 2018 furnished by the parties and relevant to the issue, wherein the Supreme Court had, inter alia, directed as under :</p> <p>“However, before re-hearing we</p>	

ORDER SHEET

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>direct that the applicants in the O.A. 1535 of 2012 / respondents herein in the writ petition will implead all the successful candidates. The matter shall be heard afresh by the learned Tribunal affording an opportunity of hearing to the successful candidates. We make it clear that we have remanded this matter only on the ground of violation of principles of natural justice and non-joinder of necessary and proper parties. Therefore, the learned Tribunal shall not be influenced by any other observations we have made in this judgement.</p> <p>For all the reasons stated above the appeal succeed and the order impugned passed by learned Tribunal in O.A. 1535 of 2012 is quashed.”</p> <p>Therefore, in view of the order, passed by the Supreme Court, let successful candidates be added as party respondents. Hence, this application for addition of parties is allowed. Let the respondents nos. 7 to 304 in the miscellaneous application be added as party respondents to the application being O.A. 1567 of 2012 by amending its cause title by 30th November, 2018. Let copies of this original application along with the reply, rejoinder and orders passed in this matter from time to time be served on</p>	

ORDER SHEET

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
SCN.	<p>each of the added respondents, as prayed for on behalf of the applicant, by 31st January, 2019, and affidavit of service be affirmed and filed. Let the original application being O.A. 1567 of 2012 appear under the heading “To Be Mentioned” on 14th February, 2019. The application being M.A. No. 166 of 2018 is disposed of.</p> <p>(P. Ramesh Kumar) MEMBER (A)</p> <p>(Soumitra Pal) CHAIRMAN</p>	