

ORDER SHEET**WEST BENGAL ADMINISTRATIVE TRIBUNAL**

Present- The Hon'ble Justice Soumitra Pal (Chairman) &
The Hon'ble Dr.Subesh Kumar Das (Administrative Member)

Case No. OA- 359 OF 2019

SHYAMAL KANTI DAS & ORS. Vs. THE STATE OF WEST BENGAL & OTHERS.

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;"><u>12</u> 13.09.19</p>	<p>For the Applicants : Mr.S.Chattopadhyay Advocate</p> <p>For the Respondents : Mr.S.N.Ray Mr.G.P.Banerjee Advocates</p> <p>As prayed for by Mr.S.Chattopadhyay, learned advocate for the applicant, leave granted to correct the typographical errors in prayers (a) and (d) of the original application in course of this day.</p> <p>At the very outset, it is submitted by Mr.Chattopadhyay, learned advocate appearing on behalf of the applicants that an order dated 19th August, 2019 passed by the Additional Secretary to the Government of West Bengal, Finance Department extending detailment until further orders with regard to the applicants have been furnished on 11th September, 2019 to his clients. Submission is as on 3rd September, 2019 when matter was taken up no mention was made regarding the said order, it may be set aside and the original application may be heard on merits. Let a copy of the order dated 19th August, 2019 be kept on record.</p>	

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	<p>Mr.S.N.Ray, learned advocate appearing on behalf of the State respondents submits that since no challenge has been made to the order dated 19th August, 2019, no order may be passed on the said order and the Original application may be heard on merits.</p> <p>In reply, it is submitted by Mr.Chattopadhyay that since the order of detailment passed on 11th December, 2018 has expired on 10th June, 2019 and order extending detailment until further order was passed on 19th August, 2019, that is after two months after the original order had expired and as it impedes the process of justice, it may be quashed.</p> <p>At this stage, Mr.Ray submits on instruction from the officials present that the respondents are going to take back and withdraw the order dated 19th August, 2019 in course of this day and shortly steps would be taken in accordance with law regarding posting of the applicants.</p> <p>In view of the submission by the learned</p>	

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BLR	<p>advocate on behalf of the respondents, the order dated 19th August, 2019 is treated to be non est and the respondents are at liberty to proceed in accordance with law.</p> <p>The matter is admitted. Let reply be filed by 22nd November, 2019. Rejoinder, if any, by 29th November, 2019. Matter to appear under the heading "Reply, rejoinder and Objection" on 2nd December, 2019.</p> <p style="text-align: center;">(S.K.DAS) MEMBER (A)</p> <p style="text-align: center;">(SOUMITRA PAL) CHAIRMAN</p>	