

ORDER SHEET**WEST BENGAL ADMINISTRATIVE TRIBUNAL****Present-****The Hon'ble Justice Soumitra Pal, Hon'ble Chairman****& The Hon'ble Dr. Subesh Kumar Das, Administrative Member.****Case No –OA-106 of 2020.****Payel Majumder and Others. –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>4</u> 7.12.2020.</p>	<p>For the Applicants : Mr. M. N. Roy, Mr. H. Rahaman, Advocates.</p> <p>For the State Respondents : Mr. G. P. Banerjee, Advocate.</p> <p>Affidavit of service filed today be kept on record.</p> <p>At the very outset, Mr. G. P. Banerjee, learned advocate appearing on behalf of the State respondents submits that the application is not maintainable, as this original application affirmed on 13th February, 2020, though challenge has been made to the decision taken as reflected from the minutes of meeting held on 19th September, 2014 fixing qualifying marks, however the advertisement no. 25/2017 has not been challenged.</p> <p>Mr. M. N. Roy, learned advocate for the applicants submits that leave may be granted to withdraw the application and to move afresh.</p> <p>In reply Mr. Banerjee submits that in the event liberty is granted to withdraw the application and leave is granted to move afresh, it may be observed that the point of maintainability would be kept open.</p> <p>In view of the prayer made on behalf of the applicant the application is dismissed as withdrawn with liberty to move afresh after making necessary</p>	

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S.M.	<p>correction and in that event the point of maintainability would be considered.</p> <p>(DR. SUBESH KUMAR DAS) (SOUMITRA PAL) MEMBER (A) CHAIRMAN</p>	