

ORDER SHEET

WEST BENGAL ADMINISTRATIVE TRIBUNAL

Present-

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

Case No – **OA 56 OF 2020**

Smt. Ruma Choudhury 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
2 20.02.2020	<p>For the Applicant : Mr. A.L. Basu, Mr. S. Bhattacharya, Learned Advocates.</p> <p>For the Respondents : Mrs. S. Agarwal, Learned Advocate.</p> <p>Affidavit of Service filed on behalf of the applicant is kept on record. The original application is admitted for hearing. Reply to be filed by the state respondents within a period of 04 (four) weeks and rejoinder, if any, may be filed by the applicant within a period of 02 (two) weeks thereafter.</p> <p>Liberty is given to the applicant to file Supplementary Application annexing copy of the recruitment rules for filling up the post of Additional Labour Commissioner on the next date of hearing.</p> <p>Mr. Basu, Learned Counsel for the applicant submits that the applicant has been superseded by the Private Respondent by granting him promotion to the post of Additional Labour Commissioner in terms of the Notification dated December 17, 2019. He further submits that the said impugned order of promotion dated December 17, 2019 should abide by the decision of the original application. The applicant has not only prayed for his promotion to the post of Additional Labour</p>	

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Form No.

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Commissioner but also prayed for setting aside the impugned order of promotion dated December 17, 2019. Mrs. Agarwal, Learned Counsel for the state respondents has vehemently opposed the submission of Mr. Basu on the ground that the Private Respondent has already assumed charge of the promotional post.

Having heard Learned Counsel representing both parties and on consideration of the facts and circumstances of the present case we are inclined to pass an interim order to the effect that the notification dated December 17, 2019 issued by the Special Secretary to the Government of West Bengal, Department of Labour (annexure 'G' to the original application) will abide by the decision of the original application.

List the matter under the heading '**Reply/Rejoinder**' on **April 29, 2020**.

Let a **Plain Copy** of the order be supplied to both parties.

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

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

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