

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 – R.A. 01 of 2020 (in connection with OA 927 OF 2015)****The State of West Bengal & Ors. Vs Sukumar Debnath & Anr.**

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<p style="text-align: center;">3</p> <hr/> <p>05.03.2020</p>	<p>For the Applicant : Mr. S. N. Ray, (Respondent in O.A.) Advocate</p> <p>For the Respondent : Mr. A. Hati, (Applicant in O.A) Mrs. S. Agarwal, Advocates</p> <p style="text-align: center;">The miscellaneous application being R.A. 01 of 2020, in connection with O.A. 927 of 2015, is taken up for hearing.</p> <p>At the very outset Mr. A. Hati, learned advocate for the applicant in the Original Application submits that the statements made in paragraphs 7 and 8 and in paragraph 13 of the review application are contradictory. Though reply was filed on behalf of the State respondents in the Original Application being O.A. 927 of 2015, however, it is evident from the statements made in paragraph 9 of the review application that the entire blame for not properly placing the facts have been put on the learned advocates for the Staff Selection Commission, Government of West Bengal and other respondents and have been made responsible for the orders passed.</p> <p>Mr. S.N. Ray, learned advocate for the applicant in the review application submits that though paragraph 9 has not been happily drafted, however, since advocates on behalf</p>	

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of the Staff Selection Commission were acting on the instruction of the authorities such a statement is uncalled for. So far as paragraph 15 of the review application is concerned, it is submitted that the facts were not properly placed before the Tribunal on 14th March, 2019 when the order was passed in O.A. 957 of 2015.

Heard learned advocates for the parties. We find that the Original Application was disposed of by passing an order in which the reply filed was referred to, which was verified by the Secretary-cum-Chairman of the Examinations, Staff Selection Commission, West Bengal. We also find that the statements made in paragraphs 7 and 8 in the review application are contradictory to the statements made in paragraph 13. So far as the statements made in paragraph 15 are concerned, we fail to understand how the statements made therein could be made as the matter was disposed after considering the Original Application, reply and rejoinder.

Mr. Ray submits that since the facts in the review application have not been placed application in proper perspective, leave is sought to withdraw the same.

Since we find that the review application contains facts which are evidently misstatement and some of the statements, particularly in paragraph 9 are uncalled for, the review application is dismissed.

(P. Ramesh Kumar)
MEMBER (A)

(Soumitra Pal)
CHAIRMAN