

ORDER SHEET
West Bengal Administrative Tribunal

Present.-

The Hon'ble Justice Ranjit Kumar Bag
&

The Hon'ble Dr. Subesh Kumar Das

Case No. **RA 10 of 2019 (OA 1154 of 2016)**

The Chief Secretary to the Government
of West Bengal & Anr.

Versus

Confederation of State Government
Employees, West Bengal

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;">08 <u>08/07/2020</u></p>	<p>For the Review Petitioner : Mr. K. Dutta, Learned Advocate General Mr. G.P. Banerjee, Mr. B.P. Roy, Mr. S. Ghosh, Learned Advocates.</p> <p>For the Respondent No. 1 & 3 : Sardar Amjad Ali, Learned Senior Advocate. Masum Ali Sardar, Learned Advocate.</p> <p>For the Respondent No. 2 : Mr. P. Chatterjee, Mr. S. Dasgupta, Mr. B. Banerjee, Learned Advocates.</p> <p>For the Respondent No. 2A : Mr. B.R. Bhattacharya, Learned Senior Advocate. Mr. F. Samim, Learned Advocates.</p> <p style="text-align: center;"><i>The judgment in separate sheets consisting of fifteen pages is pronounced today and the same is kept with the record.</i></p> <p style="text-align: center;"><i>Learned Advocate General has sought the leave of the Tribunal immediately before pronouncement of the judgment for submitting an application praying for consideration of the judgment delivered by Learned Division Bench of the Delhi High Court in “Hitesh Bharadwaj v. Ministry of Finance, Union of India &</i></p>	

ORDER SHEET – (Continuation)

Form No.

The Chief Secretary to the
Government of West Bengal
.....

Vs

Confederation of State Government
Employees, West Bengal
.....Case No. **RA 10 of 2019 (OA-1154 of 2016)**

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
Rajib	<p><i>Another” (CM Appeal 11606 of 2020 arising from WP(C) 3308 of 2020). According to Learned Advocate General, the Learned Division Bench of the Delhi Court has laid down the correct position of law with regard to payment of DA to the employees of the Government. What transpires from the unreported judgment is that the judgment was pronounced by Learned Division Bench on June 1, 2020 which was long after pronouncement of our judgment on July 26, 2019 in OA 1154 of 2016. We cannot persuade ourselves to consider a judgment of the Higher Forum for review of our judgment in OA 1154 of 2016, which was pronounced long after pronouncement of our judgment. Accordingly, we cannot persuade ourselves to consider the judgment cited by Learned Advocate General for review of the judgment pronounced by us on July 26, 2019 in OA 1154 of 2016.</i></p> <p><i>We are, thus, unable to grant leave for filing the application by Learned Advocate General for citation of the judgment delivered by Learned Division Bench of the Delhi High Court.</i></p> <p>S. K. DAS MEMBER(A)</p>	<p>R. K. BAG MEMBER(J)</p>