

AD 25.
March 2, 2021
SG & s. biswas

WPST 19 of 2021

Mousumi Das
-versus-
The State of West Bengal and others

Ms. Reshmi Ghosh,
Mr. Dibyendu Chatterjee, Advocates
... for the petitioner.

Ms. Chaitali Bhattacharya, Advocate
(through video conference)
Mr. Subhendu Roychoudhury, Advocate
... for the State.

Order dated January 18, 2021 passed by the West Bengal Administrative Tribunal in OA No.436 of 2020 has been challenged by the petitioner whereby her prayer for grant of interim relief was not considered.

A perusal of the impugned order shows that after completion of pleadings the application is to be listed on March 15, 2021. The petitioner has been given liberty to make prayer for interim relief on that date before the Division Bench.

It was further argued that a Division Bench order dated December 15, 2020 passed by this court in WPST 71 of 2020 titled as Papiya Maiti and others vs The State of West Bengal and others has not been considered by the Tribunal while not passing interim order in favour of the petitioner.

Further contention raised is that the Division Bench of the Tribunal will not be available on account of non-availability of an Administrative Member in the Tribunal, the prayer of the petitioner for grant of interim relief may not be considered. She, however, referred to an order dated January 27, 2021 passed by this court in WPST 6 of 2021 titled as Akash Bhunia and others vs The State of West Bengal and others whereby direction was issued to the Tribunal to list all the matters before a Single Bench in the absence of a Division Bench.

Considering the aforesaid submissions and the fact that the prayer for interim relief by the petitioner has not yet been considered by the Tribunal, we do not find that this would be a fit case to grant interim relief at this stage. The present petition is accordingly disposed of with the observations that on the next date fixed by the Tribunal i.e. March 15, 2021 the matter may be taken up and prayer of the petitioner for interim relief be considered.

(Rajesh Bindal, J.)

(Aniruddha Roy, J.)

