

Item- 6 24-06-2021

WP.ST 29 of 2021

sg Ct. 16

Golam Mortaja Molla
Versus
The State of West Bengal & Ors.
(Through Video Conference)

Mr. Krishna Yadav, Adv.
...for the petitioner

Mr. Tapan Kumar Mukherjee, Adv.
Mr. Somnath Laskar, Adv.
Mr. Tulsi Das, Adv.
...for the respondents

In this writ application, the petitioner has challenged the order of the learned Tribunal dated 6th February, 2019. It appears from the said order that the learned Counsel representing the applicant, on instruction, has submitted that the applicant is not willing to proceed with the hearing in this case as the issue of absorption of the applicant in Group-D post has already been decided by the Director of Land Records and Survey and Joint Land Reforms Commissioner, West Bengal by passing an order on February 4, 2011 in terms of the direction passed by the Tribunal in O.A. No. 1657 of 2009. The prayer for absorption of the applicant was rejected in the year 2011.

The learned Counsel appearing on behalf of the petitioner, however, tried to persuade us to hold that the fact recorded in the said order is not correct state of affairs.

At this stage, we must go by the order and what it records. If the petitioner is aggrieved that the submissions have not been

properly recorded or there was no prayer for dismissal of the application as not pressed, the applicant could have filed an application for review of the order.

On such consideration, we do not find any reason to interfere with the order.

WPST 29 of 2021 is, accordingly, dismissed.

(Hiranmay Bhattacharyya, J.)

(Soumen Sen, J.)