

19.07.2021
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W.P.A. No. 11384 of 2021

(Via video conference)

Sandip Khatua

Vs.

The State of West Bengal & Ors.

Mr. Dibyendu Chatterjee

..for the petitioner

Mr. Bhaskar Prasad Vaisya

Mr. Ranjan Saha

..for the State

Mr. Pradip Kumar Roy

..for the Public Service Commission

Learned Counsel appearing for the petitioner submits that as West Bengal Administrative Tribunal is not functioning properly, this writ petition which should have been moved before the Tribunal, was filed in this Hon'ble Court.

Mr. Vaisya, learned Counsel appearing for the State submits that the West Bengal Administrative Tribunal is functioning, but in a restricted manner maintaining the Covid protocol.

The notification being no. 457-WBAT/1E-08/2003(Pt.- II) dated 16.07.2021 handed over by the learned Counsel appearing for the petitioner is perused by this Court. From the said notification it is clear that though the West Bengal Administrative Tribunal is not functioning regularly, but it cannot be said that it has stopped

functioning. The West Bengal Administrative Tribunal is functioning in a restricted manner maintaining the Covid protocol.

Mr. Roy, learned Counsel appearing for the West Bengal Public Service Commission submits that the matter should be sent to the West Bengal Administrative Tribunal as this Court does not have jurisdiction to take up the matter.

Learned Counsel is requested to withdraw the writ petition from this Court, as this Court does not have jurisdiction to hear such matter.

The writ petition is disposed of.

There shall, however, be no order as to costs.

All parties shall act on the server copies of this order duly downloaded from the official website of this Court.

(Rajarshi Bharadwaj, J.)