

Dr. Arijit Das

Vs.

The State of West Bengal & Ors.

**Mr. D. N. Ray,
Ms. Munmun Tewary,
Mr. Sourav Halder.
... for the petitioner.**

**Mr. Raja Saha,
Mr. Biswabrata Basu Mallick,
Mr. Sayan Ganguly.
... for the State.**

Astonishingly the Tribunal disposed of the application on the submissions advanced by the writ petitioner, yet the writ petitioner has challenged the said order by filing the instant writ petition.

Raising several issues the Tribunal was approached but at the time of final hearing it was submitted on behalf of the writ petitioner that he may be permitted to file a representation ventilating the grievance as raised before the Tribunal and the competent authority may be directed to dispose of the same on expeditious basis.

The grievance of the writ petitioner relates to the extension of benefits of Trainee Reserve facility and since no decision was taken, the Tribunal was approached in this regard. The moment Tribunal accepted the contention made on behalf of the petitioner and granted liberty to file representation within the time frame with further direction to dispose of such representation, we are amazed whether the writ petitioner can be said to be a person aggrieved.

It is sought to be contended before us that the aforesaid submission was made without instruction from the writ petitioner and subsequently it is submitted that the substantive application was pending before the authority and such application

may be directed to be disposed of.

We are not impressed with the aforesaid submission for the simple reason that the moment the submissions were made at the behest of the writ petitioner and the application was disposed of on the basis thereof, it would not be prudent on the part of the Writ Court to interfere with such order. If the writ petitioner feels that such submissions have either been wrongly recorded or have been made without instruction, the approach can be made before the same Judge or the Tribunal for an appropriate order in this regard.

We thus do not find any infirmity in the impugned order.

The writ petition is thus disposed of.

There will be no order as to costs.

(Harish Tandon, J.)

(Shampa Dutt (Paul), J.)