

28.08.2023
Item No.47
Ct. No.5
CHC
(disposed of)

WP.ST 58 of 2022

Ratna Dey
Vs.
The State of West Bengal & ors.

Mr. Samim Ahmmed,
Mr. Damishuddin Abbasi
...for the writ petitioner

Mr. Biswabrata Basu Mallick, Ld. A.G.P.
...for the State

Mr. Sauvik Nandy
...for the P.S.C.

The writ petition is directed against an order dated January 11, 2022 passed by the West Bengal Administrative Tribunal in O.A.664 of 2021.

The impugned order rejected the prayer for interim relief.

The Court is informed that the Original Application is fixed for final hearing on September 22, 2023.

Learned advocate appearing for the writ petitioner expressed the apprehension that the observations made in the impugned order dated January 11, 2022 rejecting the prayer for interim relief is likely to prejudice the writ petitioner in the final hearing.

Observations made in order while considering the interim relief *prima facie* in nature

and are not read as part of conclusive findings at the final hearing of the Original Application unless an issue is finally directed by such order. In the facts of this case no issue was finally decided between the parties by the interim order.

It is therefore clarified that, none of the observations made in the order dated January 11, 2022 passed by the West Bengal Administrative Tribunal while considering the interim relief, will not prejudice any of the parties at the final hearing.

WP.ST 58 of 2022 is disposed of without any order as to costs.

(Debangsu Basak, J.)

(Md. Shabbar Rashidi, J.)