

28.08.2023
Item No.51
Ct. No.5
CHC
(dismissed)

WP.ST 87 of 2022

Abhik Das & ors.

Vs.

The State of West Bengal & ors.

Mr. D. N. Ray,
Mrs. Munmun Tewary,
Mr. Biswarup Nandy,
Mr. Rajesh Kr. Shah
...for the writ petitioners

Mr. Suman Sengupta, Sr. Govt. Advocate
Mr. Dwaipayan Basu Mallick,
Mr. Sambuddha Dutta
...for the State

Ms. Shraboni Sarkar
...for the respondent no.4

The writ petition is directed against an order dated July 21, 2022 passed by the West Bengal Administrative Tribunal in O.A.442 of 2022.

By the impugned order, the interim relief sought for by the writ petitioners was rejected.

Learned advocate appearing for the State submits that, the Original Application was dismissed for default. Thereafter, the writ petitioners applied for restoration of the same. The restoration application is yet to be finally decided.

Public Service Commission is also represented.

Learned advocate appearing for the writ petitioners submits that, there are developments

occurring subsequent to the refusal to grant interim order. The Original Application is yet to be restored by the Tribunal.

In such context, consideration of granting interim relief in a proceeding which does not exist in the eye of law as on date does not arise.

In such circumstances, we are not minded to interfere with the impugned order.

WP.ST 87 of 2022 is dismissed without any order as to costs.

(Debangsu Basak, J.)

(Md. Shabbar Rashidi, J.)