

04.09.2023
SL No.180
Court No.8
(gc)

MAT/1663/2023
IA NO: CAN/1/2023
CAN/2/2023
CAN/3/2023

DEO KUMAR VERMA & ORS.
VS
PRIYANKA NASKAR & ORS.

Mr. Surajit Nath Mitra, Sr. Adv.,
Mr. Joydip Kar, Sr. Adv.,
Mr. Chittapriya Ghosh,
Mr. Asit Baran Ghosh,
Mr. Somesh Kumar Ghosh,
...for the Appellants/Applicants.

Mr. Kumar Jyoti Tiwari,
Mr. Tarunjyoti Tiwari,
... for the writ petitioner

Re: CAN 1 of 2023
With
CAN 2 of 2023

1. The applicants are similarly placed as that of the applicants Indrajit Saha & Ors. who are appellants in MAT 1520 of 2023. We have allowed the application filed by Indrajit Saha for leave to prefer an appeal. The grounds being same and identical, we allow the application for leave to prefer appeal upon condoning the delay.
2. Sufficient cause being shown for not being able to prefer the appeal within the period of limitation and also having regard to the fact that the Hon'ble Supreme Court has allowed

the persons affected by the impugned order, the delay of 75 days in preferring the instant appeal is condoned.

3. Accordingly, both the applications stand disposed of.

Re: CAN 3 of 2023

4. In view of the order passed by the Hon'ble Supreme Court on 7th July, 2023 by which the interim order of the Division Bench was set aside to the extent of issuance of the direction to conduct the selection afresh, there is no need to pass any separate order for stay of operation of the said order. The prayers made in this petition have been adequately taken care of in the order dated 7th July, 2023.

5. The interim order passed on 19th May, 2023 insofar as it stayed the termination of job shall continue till the disposal of the appeal.

6. The stay petition, accordingly, stands disposed of.

7. This appeal shall be heard along with MAT 873 of 2023 on **3rd October, 2023**.

(Uday Kumar, J.)

(Soumen Sen, J.)