

06.09.2023
Item No.7
Ct. No.5
CHC
(dismissed)

WP.ST 118 of 2017
IA NO: CAN/1/2023

Sri Asit Baran Pati
Vs.
The State of West Bengal & ors.

Mr. Subhrangshu Panda,
Ms. Mithu Singha Mahapatra,
Mr. Debattam Das,
Ms. D. Das

...for the writ petitioner

Mr. Tapan Kr. Mukherjee, Sr. Advocate & A.G.P.
Mr. Somnath Naskar

...for the State-respondents

Mr. Suman Basu

...for the respondent no.5

In Re: CAN/1/2023

C.A.N.1 of 2023 is an application for restoration.

For the ends of justice and the causes shown in the application, order of dismissal dated August 4, 2023 is recalled.

WP.ST 118 of 2017 is restored to its original file and number.

C.A.N.1 of 2023 is disposed of.

In Re: WP.ST 118 of 2017

The writ petition is directed against an order dated December 10, 2015 passed by the West Bengal Administrative Tribunal in O.A.1331 of 2013.

By the impugned order, the Tribunal noted that the writ petitioner was similarly circumstanced as that of other Assistant Engineers who were granted benefits by virtue of Memo dated February 17, 2012 read with Memo dated January 21, 2013.

Learned advocate appearing for the writ petitioner refers to the earlier Memo which according to him were not taken into consideration by the Tribunal.

We find no substance in the contention of the writ petitioner. Tribunal proceeded on the basis of subsequent Memo and the fact that, the writ petitioner was similarly situated and circumstanced as that of other Assistant Engineers.

In such circumstances, we find no merit in the present writ petition.

WP.ST 118 of 2017 is dismissed without any order as to costs.

(Debangsu Basak, J.)

(Md. Shabbar Rashidi, J.)