

Court No. 4
(266228)

11.11.2024

(AD 46-47)

(S. Banerjee)

WP.CT 41 of 2024

Samir Kumar Nanda
Vs.
Union of India & Ors.

with

WP.CT 42 of 2024

Samir Kumar Nanda
Vs.
Union of India & Ors.

Mr. Achintya Kumar Banerjee
Ms. Indumouli Banerjee

...for the petitioner

Mr. D. N. Ray
Mr. Rajesh Kumar Shah

...for the Union of India

There are two writ petitions, the second one being WP.CT 42 of 2024 arising out of an order passed by the tribunal in exercise of review jurisdiction. The review was preferred against the order dated 26.05.2020 falling for consideration in the present writ proceedings.

It is submitted by the learned counsel for the petitioner that the review had been filed because the tribunal had failed to pass a decision on the claim of the petitioner regarding the transfer order in question being without jurisdiction. However, he submits that the issue can very well be considered in the present proceeding as

the submission regarding the transfer order being without jurisdiction has been taken note of in the order of the tribunal dated 26.05.2020 pending for consideration in the present proceedings.

We, therefore, in the above circumstances, dispose of the writ petition bearing WP.CT. No. 42 of 2024 (Dr. Samir Kumar Nanda –Vs.- Union of India & Ors.) and make it clear that we shall also be considering the issue whether the transfer order was without jurisdiction or not in the present proceeding itself.

Learned counsel for the petitioner submits that he would be relying on certain precedent in this regard.

The matter stands adjourned, it will appear in the list on 18th November, 2024.

(Madhuresh Prasad, J.)

(Supratim Bhattacharya, J.)