

18.02.2025
(D/L-4)
Ct. No.4
(B.K.N.)

W.P.C.T. 12 of 2025

**The Union of India & Ors.
Vs.
Mrinal Kanti Biswas**

Mr. Partha Ghosh,
Mrs. Sarda Sha

...for the Petitioner

Mr. S. Majumder

...for the Respondent

1. Affidavit of service filed by the petitioner is taken on record.
2. Heard the parties.
3. The facts which are not in dispute are that the order of the Central Administrative Tribunal dated 26th April, 2024 impugned in the present proceedings is pursuant to a decision taken by one Administrative Member of the Tribunal, sitting singly.
4. The learned counsel for the petitioner has relied upon two decisions of the co-ordinate Bench passed in W.P.C.T. 151 of 2011 in the case of Smt. Jayati Chakraborty -Vs.- Union of India and others as well as a recent decision of another Division Bench dated 11th November, 2024 in the case of Union of India and others -Vs. - Shri Bachan

Pandey in the proceedings arising out of W.P.C.T. 221 of 2024.

5. Relying upon these decisions, it is submitted that in view of the decision of the Division Bench in these two decisions, the instant case also be remanded to the Tribunal for reconsideration by another Bench consisting of two members. Since the two decisions of the co-ordinate Bench, have been relied upon in support of the proposition and in the facts of the present case also, the Administrative Member sitting singly has passed the impugned order relating to the merits of the matter, we set aside the order of the Tribunal dated 26th April, 2024 passed in O.A. No. 350/995/2022 and R.A. No. 350/00021/2024 and request the Tribunal to have the matter considered and disposed of by a Division Bench where the learned Member who passed the order impugned is not a party.
6. The parties before this Court are in agreement that they would appear before the Tribunal within eight weeks from date. So as to facilitate such consideration, the Tribunal is requested to consider the matter expeditiously without giving any unnecessary adjournments and without any undue delay. The prayer for interim order shall also be

considered when the parties appear before the Tribunal.

7. W.P.C.T. 12 of 2025 is, thus, disposed of.

(Madhuresh Prasad, J.)

(Supratim Bhattacharya, J.)