

30.06.2025
Item No.20
Court No.01
SK(AR(CR))

**In the High Court at Calcutta
Circuit Bench at Jalpaiguri**

**WP.ST/3/2025
IA NO: CAN/1/2024**

**THE STATE OF WEST BENGAL AND
ORS
VS
BASUDEB ROY**

Mr. Momenur Rahman,
Mr. Bikash Singha,
.....for the appellants.

Mr. Jagriti Mishra,
Ms. Ananya Bhattacharyya,
Ms. Mrinmayee Das,
.....for the respondents.

By consent of the parties, both these appeals
are taken up for hearing analogously.

The grievance of the writ petitioner i.e.
appellant in WP.ST/6/2025 is directed against an
order dated 13 September, 2023 whereby the
respondent Tribunal has held that the application
for restoration of the original application being OA
1038/2015 was not maintainable.

On the other hand the grievance of the State
of the West Bengal i.e. the appellant in
WPST/3/2025 is that the order dated 23
December, 2024 directing consideration of the
representation was erroneously passed by
suppressing the earlier order of dismissal.

During the course of the submissions both
Advocates appearing on behalf of the employee as

well as the State submit that they have no objection if both these orders i.e. 23 December, 2024 and 13 September, 2023 are set aside. Accordingly, OA 1038/2015 is remanded back to the respondent Tribunal for hearing afresh in accordance with law. In view of the fact that the employee has been in casual employment for more than 31 years and due to retire within period of two months from date, the disposal of the original application i.e. OA 1038/2015 be expedited and completed preferably within two weeks from the date of communication of this order.

With the above directions, both the above appeals stand disposed of.

(RAVI KRISHAN KAPUR, J.)

(MD. SHABBAR RASHIDI, J.)