

30.06.2025
Item No.21
Court No.01
SK(AR(CR))

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

WP.ST/6/2025

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

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

Mr. Momenur Rahman,
Mr. Bikash Singha,
.....for the respondents.
Mr. Nabankur Paul,
Mr. Sumit Kumar,
....for the State

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.

Both Advocates appearing on behalf of the employee as well as the State submit that they have no objection if the orders i.e. 23 December, 2024 and 13 September, 2023 are set aside and the matter i.e. OA 1038/2015 is remanded back to the respondent Tribunal for hearing afresh in accordance with law.

In view of the above, the orders dated 13 September 2023 and 23 December 2024 are set aside.

WP.ST/3/2025 and WP.ST/6/2025 stand allowed to the above extent.

OA 1038/2015 is remanded to the respondent Tribunal for hearing afresh in accordance with law. The Tribunal is directed to consider and dispose of the representation within a week from date.

(RAVI KRISHAN KAPUR, J.)

(MD. SHABBAR RASHIDI, J.)