

**ORDER SHEET**

**WEST BENGAL ADMINISTRATIVE TRIBUNAL**

**Bikash Bhavan, Salt Lake, Kolkata – 700 091.**

**Present-**

**The Hon'ble Sayeed Ahmed Baba, Officiating Chairperson & Member (A)**

**Case No. OA – 630 of 2023**

**Noor Mohammad - VERSUS - THE STATE OF WEST BENGAL & ORS.**

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| Serial No.<br>and<br>Date of order<br><u>2</u><br>16.05.2024 | For the Applicant                            | : Mr. K. Basu,<br>Mr. S. Banerjee,<br>Advocates  |
|  | For the Respondent No.<br>2(ii)              | : Mr. S. Ghosh,<br>Advocate  |
|  | For the Respondent Nos.<br>2(i), (iii) & (v) | ; Mr. S. Deb Ray,<br>Mr. R.K. Bag,<br>(Departmental Representatives)<br>Land & land Reforms Department |

The matter is taken up by the Single Bench pursuant to the order contained in the Notification No. 638 – WBAT / 2J-15/2016 dated 23<sup>rd</sup> November, 2022 issued in exercise of the powers conferred under Section 5(6) of the Administrative Tribunals Act, 1985.

Mr. Basu presents a copy of the High Court's order in WPST No. 30 of 2024 and prays for an interim direction to the respondent authorities restraining them from giving effect to its order No. 2663 dated 31.07.2023. By this order, the respondent authorities have withdrawn the 25 years MCAS benefit earlier given to the applicant. Submission on behalf of the respondent department is that in terms of the order No. 2663, Additional District Magistrate ( L.A.), Bankura has already executed the order vide two Memos 880 and 884 dated 21.08.2023 and 22.08.2023 respectively. Submission of the respondent side is that applicant has not assailed these two orders. Mr. Basu submits that flowing from the main order 2663, these two operational orders were also issued. By assailing the main order, subsequent operational orders are also assailed. From the submissions of the learned counsels, it is understood that such benefit of 25 years MCAS was withdrawn due to a disciplinary proceedings initiated against the applicant.

Heard the learned counsels.

Matter is admitted

Since the matter has been admitted today, the Tribunal will hear the prayer for interim order on the next date.

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**THE STATE OF WEST BENGAL & ORS.**

Since the other matter being O.A. No. 636 of 2022 of the applicant relating to disciplinary proceedings is listed on 24.07.2024, let this matter also be listed on 24.07.2024 under the heading 'Hearing'.

Reply, rejoinder, if any, in the meantime.

**SAYEED AHMED BABA**  
**OFFICIATING CHAIRPERSON & MEMBER(A)**

A.K.P