

ORDER SHEET

WEST BENGAL ADMINISTRATIVE TRIBUNAL

Present-

**The Hon'ble Justice Ranjit Kumar Bag
& The Hon'ble Dr. Subesh Kumar Das**

Case No – OA 586 OF 2018

Sushil Kumar Biswas & Ors. Vs The State of West Bengal & Ors.

Serial No. and Date of order. 1	Order of the Tribunal with signature 2	Office action with date and dated signature of parties when necessary 3
01 05.09.2018	<p>For the Applicants : Mr. T.D. Ray, Mr. T. Ray, Learned Advocates.</p> <p>For the Respondents : Mr. S. Bhattacharjee, 1,3, 7 to 13 Departmental Representative.</p> <p>For the AG (A&E),WB : Mr. B. Mitra, Departmental Representative.</p> <p>Learned Counsel for the applicant undertakes to file Affidavit of service in course of this day. He further submits that applicant no. 16 and applicant no. 17 are not willing to proceed with the hearing of this case and as such he is not pressing for hearing so far as applicants no. 16 and 17 are concerned. Learned Counsel has prayed for liberty to file fresh application by applicant nos. 16 and 17 if the cause of action arises in future.</p> <p>Mr. Bhattacharjee, the Departmental Representative of the respondents contends that most of the applicants retired in the year 2007 or 2008 and two applicants retired in 2015. On consideration of the respective dates of retirement of each of the applicants, we find that the applicants have ventilated their grievance of not getting financial benefit as pre prevailing Career Advancement Scheme long after three to eleven years of their retirement. Under such circumstances, we are of the view that</p>	

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<p>Office</p> <p>Sanjib</p>	<p>the present application is barred under section 21 of the Administrative Tribunals Act, 1985.</p> <p>Liberty is given to the applicant to file appropriate application under section 21(3) of the Administrative Tribunals Act, 1985 by explaining the inordinate delay in approaching the Tribunal for ventilating grievance long after retirement on the next date of hearing.</p> <p>The Registry is directed to expunge the applicants No. 16 & 17 by way of amendment of cause title of the original application within a period of two weeks from this day.</p> <p>List the matter under the heading “Admission Hearing” on 22.11.2018.</p> <p>(S.K. DAS) MEMBER(A)</p> <p>(R. K. BAG) MEMBER (J)</p>	
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