

**ORDER SHEET****WEST BENGAL ADMINISTRATIVE TRIBUNAL****Present-**

The Hon'ble Mrs. Urmita Datta (Sen)  
& The Hon'ble Dr. Anup Kumar Chanda.

Case No – OA-430 of 2018.

**Abdul Bari & Others. –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
<p style="text-align: center;"><u>17</u> <b>11.04.2018</b></p>	<p><b>For the Applicants : Mr. Masud Karim, Ms. Ranjana Talapatra, Advocates.</b></p> <p><b>For the Respondent : Mr. Apurba Lal Basu, Advocate.</b></p> <p>The instant application has been filed praying for direction to the respondents to pay/release the dues with respect to the work done by them on their re-engagement by the respondents after their respective retirement i.e. from 30.08.2012 to 29.08.2013, 31.11.2011 to 29.08.2013 and 31.01.2012 to 29.08.2013.</p> <p>The counsel for the respondents has raised a preliminary objection on the maintainability of the O.A. as the applicants did not establish their claim by producing any documents with regard to their re-engagement letters by the competent authority and on that account, the applicants were granted repeated opportunities since 2014 but till date, they have not filed any supplementary affidavit showing their re-engagement letters.</p> <p>However, the counsel for the applicants has prayed for a further chance as he is not able to produce any documents in support of the claim in this regard.</p> <p>Heard the parties and perused the records as</p>	

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Sourav	<p>well as the order sheet starting from 2014 to 2018 and from perusal of the order dated 08.09.2017, it is noted that the Tribunal has granted last chance to file supplementary affidavit since the matter was dragging from 2014 and enough opportunity had been granted to the applicants to place their case since the applicants are not in a position to satisfy their prima facie case that they were re-engaged by a competent authority after their retirement and enough opportunity was granted to the applicants to satisfy this court.</p> <p>Therefore, we are unable to entertain the application at this stage. Moreover, the applicants did not fulfil the proviso of the Section-21 of the Administrative Tribunal Act, 1985 even there is no representation against such non-payment of wages as claimed by them.</p> <p>Accordingly, the O.A. is dismissed with the above observation with no order as to cost.</p> <p style="text-align: center;"> <b>DR. A. K. CHANDA</b>  <b>MEMBER (A)</b> </p> <p style="text-align: center;"> <b>URMITA DATTA (SEN)</b>  <b>MEMBER (J)</b> </p>	

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