

ORDER SHEET

WEST BENGAL ADMINISTRATIVE TRIBUNAL

Bikash Bhavan, Salt Lake, Kolkata – 700 091.

Present-

THE HON'BLE SAYEED AHMED BABA, OFFICIATING CHAIRPERSON AND ADMINISTRATIVE MEMBER

Case No. – MA-115 of 2022 (OA 21 of 2021)

Narayan Chandra Ghorui - Vs - The State of West Bengal & Others.

Serial No. and
Date of order

06
04.01.2024

For the Applicant : Mr. B.B. Chaklanabis,
Learned Advocate.

For the State Respondents Mr. D. Kole,
Learned Advocate.

For the Pr. A.G.W.B. Mr. B. Mitra.

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

On consent of the learned counsels for the parties, the case is taken up for consideration sitting singly.

The prayer in this application is for condonation of delay in filing the original application OA-21 of 2021. The prayer in the original application is for a direction to the respondent authorities to refund an amount of Rs.1,10,000/- which was deducted from his salary as excess amount paid. The applicant had retired as a Compositor under the Department of Commerce & Industries on 31.08.2008.

It appears that after his retirement on 31.08.2008 an amount of Rs. 1,10,000/- was deducted on account of excess payment of pay and allowances. Mr. B. Mitra, learned departmental representative of Principal A.G.W.B. reading out a paper from his office documents submits that the actual amount so deducted was Rs. 73,393/-. Such deduction was made known to the applicant on the first release of his gratuity amount in the year 2009. It also appears that though an application was filed before this Tribunal by the applicant on the self same prayer in the year 2019 but the same was withdrawn by the applicant.

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THE STATE OF WEST BENGAL & OTHERS.

After consideration of the facts and observations, this Tribunal finds that it has not been satisfied with any justifiable ground in filing the original application after more than 11 years. No plausible reasons or justification has been presented for such delay. Thus, the prayer in this application for condonation of delay in filing the original application after a gap of 11 (eleven) years is not allowed. Accordingly, the application is disposed of.

(SAYEED AHMED BABA)
OFFICIATING CHAIRPERSON AND MEMBER (A)

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