

# WEST BENGAL ADMINISTRATIVE TRIBUNAL

Bikash Bhavan, Salt Lake, Kolkata – 700 091.

Present-

The Hon'ble Mrs. Urmita Datta (Sen), Member(J).

**Case No. – MA 2 OF 2021 & MA 3 OF 2021 (OA 1044 of 2016)**

**Srinibash Adhikary - VERSUS - THE STATE OF WEST BENGAL & ORS.**

Serial No. and Date of order	For the Applicants	: Mr. B. Ghosh, Ld. Adv.
	For the State Respondent	: Mr. G.P. Banerjee, Ld. Adv.

04  
03.03.2021

The matter is taken up by the Single Bench pursuant to the Notification No. 949-WBAT/2J-15/2016 dated 24th December, 2020, issued in exercise of the powers conferred under sub section (6) of Section 5 of the Administrative Tribunals Act, 1985.

### MA 2 of 2021

The instant application has been filed to recall the order dated 07.02.2020 passed in OA No. 1044 of 2016 on the ground of non-appearance of the counsel for the applicant.

As per the applicant, the counsel for the applicant got hurt in his leg while he was coming to the court. Therefore, he could not be presence at the time of the hearing of the case.

### MA 3 of 2021

The instant application has been filed praying for condonation of delay in filing the application for recalling of the order dated 07.02.2020 passed in OA 1044 of 2016. As per the applicant after getting knowledge of dismissal of the original application, the Learned Advocate asked his clerk to file application for certified copy of the order dated 07.02.2020, which was filed on 27.02.2020 and was prepared on 28.09.2020. Therefore, according to the applicant, since in the meantime pandemic situation has arisen and he received the certified copy, which was got ready on 28.09.2020 only. Therefore, there is some delay in filing the application for restoration/recalling of the order dated 07.02.2020. Thus, the counsel for the applicant has prayed for condonation of delay in filing the instant application and recalling of the order dated 07.02.2020 otherwise his client would suffer irreparable loss and injuries with no fault on his part.

In view of the above, the delay is condoned. The order dated

**ORDER SHEET**

Form No.

Srinibash Adhikary

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THE STATE OF WEST BENGAL & ORS.

07.02.2020 is recalled and the OA is restored in its original position.

Accordingly, **both the MA's are allowed.**

Let the OA be listed on **30.07.2021** under the heading "**Hearing**".

Mrs. URMITA DATTA (SEN)  
MEMBER (J)

HS