

WEST BENGAL ADMINISTRATIVE TRIBUNAL

Bikash Bhavan, Salt Lake, Kolkata – 700 091.

Present-

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

Case No. – MA 20 of 2022 [OA 78 of 2022]

Sri Manoj Mahato -- **VERSUS** – The State of West Bengal & Ors.

Serial No. and
Date of order

For the Applicant : Mrs. S. Agarwal, Ld. Advocate.

For the State Respondent : Mr. A.K. Das Sinha, Ld. Advocate.

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10.10.2023

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 contesting parties, the case is taken up for consideration sitting singly.

In this application, the prayer is for condonation of delay in filing the Original Application (OA 78 of 2022). The prayer in the original application is for setting aside the impugned order dated 15.01.2014 which had rejected the application for compassionate employment on the ground that the applicant was a minor at the time of the death of the deceased employee. This application praying for condonation of delay of around eight (8) years has been filed giving the following two reasons for such delay:

1. Due to paucity of fund, the applicant could not afford to file an application in this Tribunal
2. Due to prevailing Covid epidemic, such application could not be filed.

After examination of the documents in this application, the Tribunal is not satisfied that an impugned order passed in the year 2014 could not be challenged within two (2) years from the date of such impugned order in this Tribunal. The Tribunal does not find any convincing reason for such delay in filing this application. There was neither any justifiable reason nor any sufficient cause to explain such delay in filing the original application. Therefore, the prayer in this application for condonation of delay is not **allowed**.

Accordingly, this application is **disposed of**.

CSM

SAYEED AHMED BABA
Officiating Chairperson & Member (A)