

**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 206 OF 2018 (OA 857 OF 2018)**

**SANDEEP TAMANG - VERSUS - THE STATE OF WEST BENGAL & ORS.**

Serial No. and  
Date of order

25  
09.02.2023

For the Applicant : Mr. Dilip Kumar Mukherjee  
Advocate

For the State respondents : Mr. Goutam Pathak Banerjee  
Advocate

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 23<sup>rd</sup> 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.

The instant Miscellaneous Application has been filed praying for condonation of delay to file OA-857 of 2018. The OA-857 of 2018 of the applicant was regarding prayer for compassionate employment. The applicant's father was a Resham Karmee who died on 17.02.2005. The application for compassionate employment was submitted before the concerned respondent on 03.02.2018 and thereafter OA-857 of 2018 was also filed before the Tribunal.

The learned counsel for the applicant submits that the delay in filing the Original application before the Tribunal was due to the ignorance of the applicant.

Mr.G.P.Banerjee, learned counsel for the respondent opposes the prayer in the application for condonation of delay relying on relevant sections of the CPC and the Tribunals Act that the application is barred by limitation.

I am satisfied that there has been a long delay of thirteen years after the death of the employee in filing this application. Thus, I am not inclined to

**ORDER SHEET**

Form No.

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condone the delay, Therefore, the prayer is not allowed.

Accordingly the Miscellaneous application being MA-206 of 2018 is disposed of.

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

BLR