

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 3 OF 2019 (OA 651 OF 2018)

BISHU BESRA - VERSUS - THE STATE OF WEST BENGAL & ORS.

Serial No. and
Date of order

13
23.02.2023

For the Applicant : Mr. Dilip Kumar Mukherjee
Advocate

For the State respondents : Mr. Goutam Pathak Banerjee
Mr.Sankha Ghosh
Advocates

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.

The instant Miscellaneous Application has been filed praying for condonation of delay to file OA- 651 of 2018. The OA-651 of 2018 of the applicant was regarding prayer for compassionate employment. The applicant's father was a Resham Karmee who died on 20.01.2003. The application for compassionate employment was submitted before the concerned respondent on 05.02.2004 and thereafter OA-651 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 fifteen years after the

ORDER SHEET

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death of the employee in filing this application. Thus, I am not inclined to condone the delay, Therefore, the prayer is not allowed.

Accordingly the Miscellaneous application being MA-3 of 2019 is disposed of.

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

BLR