

**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 34 of 2023 [OA 341 of 2023]**

**Biswajit Murmu -- VERSUS – The State of West Bengal & Ors.**

Serial No. and  
Date of order

For the Applicant : Mr. M.N. Roy, Ld. Advocate.

Mr. G. Halder, Ld. Advocate.

For the State respondent : Mr. S.K. Mondal, Ld. Advocate.

03  
19.09.2023

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 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.

Affidavit of service filed be kept on record.

The prayer in this application is for condonation of delay of 10 months and 28 days in filing the OA 341 of 2023. In the OA, the impugned order of the respondent passed on 10.02.2017 rejecting the claim for employment under compassionate ground is being challenged. Mr. Roy ascribes the delay not from 2017 but from 2018, the year in which he had requested the respondents to review their decision of rejection passed on 10.02.2017. Submission is that after furnishing such a review application before the respondents, as a good gesture, the applicant kept on waiting for quite some time for a positive response from the respondents. Having waited for such a response till end of 2022 and having received no such response, the applicant was compelled to file this application (OA 341 of 2023) in this Tribunal. Another important reason mentioned by Mr. Roy is the Hon'ble Apex Court's order of condonation of such delays dated 15.03.2020 to 28.02.2022 due to prevailing Covid-19 situation in the entire country. After going through the records and submission of Mr. Roy citing the reasons for such delay, the Tribunal is satisfied that there was sufficient and justifiable reason for such delay in filing the original application. Therefore, the delay in filing the original application is condoned and accordingly, this application is **disposed of**.

CSM/SS

**SAYEED AHMED BABA**  
**Officiating Chairperson & Member (A)**