

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 38 of 2023 [OA 364 of 2023]

Julmat Seikh & Ors. -- VERSUS – The State of West Bengal & Ors.

Serial No. and
Date of order

For the Applicants : Mr. P. Baidya,
Ld. Advocate.

For the State respondent : Mr. G.P. Banerjee,
Ld. Advocate.

03
05.12.2023

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.

This application has been filed praying for condonation of delay in filing OA 364 of 2023. As per this application, there was a delay of 430 days. In the Original Application, the prayer relates to setting aside the entire process of selection for recruitment to the post of Constables (Male) in the West Bengal Police. Such recruitment process began in the year 2018 and in August, 2019 after completion of the recruitment process, the final list of successful candidates was published by the West Bengal Police Recruitment Board.

Mr. Baidya, learned counsel for the applicants submits that such delay occurred primarily due to lack of financial capacity of the applicants in approaching this Tribunal. The applicants being Civic Volunteers under different districts could not financially afford to file such an application within the prescribed time limit. Mr. Baidya also ascribes such delay to the Covid-19 prevailing in the entire country. Appearing on behalf of the respondent authorities, Mr. Banerjee submits that the entire recruitment process was completed by August, 2019 after publication of the final list of successful candidates. Aggrieved by such list, the applicants could have filed such an application before this Tribunal much earlier than 2023. Therefore, this application is not admissible on the grounds of limitation.

Having heard the submissions of Mr. Baidya, the Tribunal is not satisfied with the reasons stated – covid situation and paucity of funds for the

ORDER SHEET

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delay caused in filing the original application in this Tribunal. The recruitment process for 2018 examination was concluded in the month of August, 2019 much before the covid pandemic situation. The Tribunal is also not satisfied with the reasons stating that the applicants could not financially afford to file this application since they are Civic Volunteers. The applicants are Civic Volunteers and it appears from the Pay Slip enclosed in this application, they draw a net salary of Rs.9,000/- per month.

Since the reasons given for the delay in filing the OA 364 of 2023 are not satisfactory on the above grounds, the prayer in this application is not allowed and the same is disposed of without any orders.

SAYEED AHMED BABA
Officiating Chairperson & Member (A)

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