

ORDER SHEET

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 65 OF 2024 (OA 991 OF 2018)

AFROJA BEGUM - Vs - THE STATE OF WEST BENGAL & OTHERS.

Serial No. and
Date of order

01
08.07.2024

For the Applicant : Mr.P.K.Ghosh
Advocate
For the State Respondents : Mr.Soumendra Narayan Ray
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 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 prayer in this application is for restoration of the Original application passed by this Tribunal on 03.08.2023 in OA-991 of 2018 which had dismissed the application for default have failed to appear on three consecutive dates of hearing.

The Tribunal observes that the applicant's side herself has accepted that her counsel was not aware of the dates listed and on these three dates of hearing. The Tribunal is not satisfied with such casual, flimsy and non-serious ground. During every hearing, the next date is announced in presence of the counsels. Moreover, every counsel and litigant can find the dates of listing in the Tribunal's portal. The Notice Board also displays the next dates. The daily cause list can be seen in the portal, unless the counsel does not check. The portal also displays copy of the Orders for each application on daily basis and next dates can be checked from here also. It was counsel's responsibility to check and record the next date of hearing from the sources mentioned in foregoing sentences. In this case, it is clear that the applicant side, in particular, her

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legal counsel had not checked the dates of listing of this application. The Tribunal has not found any sufficient cause in praying for restoration of the said Order. The prayer is not allowed and the application praying for restoration of Order dated 03.08.2023 in OA-991 of 2018 is disposed of without passing any orders.

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

BLR