

ORDER SHEET

WEST BENGAL ADMINISTRATIVE TRIBUNAL

Bikash Bhavan, Salt Lake, Kolkata – 700 091.

Present-

The Hon'ble Mrs. Urmita Datta (Sen), Member(J).

Case No. – MA 85 of 2020 [OA 499 of 2020]

Smt Soumi Das - **VERSUS** - THE STATE OF WEST BENGAL & ORS.

Serial No. and Date of order	For the Applicant	:Mrs. S. Agarwal, Ld. Adv.
	For the Respondents	: None
<u>03</u> 10.03.2021		

The matter is taken up by the Single Bench pursuant to the Notification No. 949-WBAT/2J-15/2016 dated 24th December, 2020, issued in exercise of the powers conferred under sub section (6) of Section 5 of the Administrative Tribunals Act, 1985.

Affidavit of service filed by the applicant be kept on record.

The instant application has been filed praying for condonation of delay for original application as per the applicant. His case was considered and rejected on the basis of notification of 2002, whereas his father died in the year 2009. Therefore, the said notification is not applicable in his case. However, while calculating the family income, they have wrongly calculated interest and pensionary benefits also. Therefore, he has a good arguable case on merit.

The counsel for the applicant has further submitted that if the delay would not be condoned, the applicant will suffer irreparable loss and injuries. Affidavit of service has been filed but none appears today also for the respondents.

Heard the counsel for the applicant. Delay is condoned. **The MA is allowed.** OA 499 of 2020 be listed on **05.05.2021** for “Admission Hearing”.

Mrs. URMITA DATTA (SEN)
MEMBER (J)

HS